

**UNITED STATES DISTRICT COURT  
DISTRICT OF COLORADO**

<p>JANE L.B. DOE 1; JANE A.D. DOE 2; JANE M.D. DOE 3; JANE L.H. DOE 4; JANE T.J. DOE 5; JANE S.N. DOE 6; JANE T.O. DOE 7; JANE S.W. DOE 8; JANE D.Z. DOE 9; JANE A.H. DOE 10; JANE I.B. DOE 11; JANE K.O. DOE 12; JANE S.B. DOE 13; JANE A.B. DOE 14; JANE B.M. DOE 15; JANE E.H. DOE 16; JANE K.B. DOE 17; JANE T.G. DOE 18; JANE M.K. DOE 19; JANE K.R. DOE 20; JANE J.K. DOE 21, a minor, by Next Friend and Mother MARY T.K. DOE 21; JANE C.P. DOE 22; JANE A.K. DOE 23, a minor, by Next Friend and Mother MARY N.F. DOE 23, JANE R.B. DOE 24; JANE D.C. DOE 25; JANE K.C. DOE 26; JANE A.C. DOE 27; JANE A.H. DOE 28; JANE G.S. DOE 29; JANE L.K. DOE 30; JANE L.N. DOE 31; JANE S.R. DOE 32; JANE K.W. DOE 33; JANE N.C. DOE 34; JANE A.B. DOE 35; JANE J.S. DOE 36; JANE A.B. DOE 37; JANE A.P. DOE 38; JANE K.C. DOE 39; JANE M.O. DOE 40; JANE L.C. DOE 41; JANE L.W. DOE 42; JANE A.C. DOE 43, a minor, by Next Friend, JOHN A.C. DOE 43; JANE R.H. DOE 44; JANE A.G. DOE 45; JANE E.A. DOE 46; JANE R.V. DOE 47; JANE A.B. DOE 48; JANE R.D. DOE 49, a minor by Next Friend, MARY R.D. DOE 49; JANE D.C. DOE 50, a minor by Next Friend, MARY D.C. DOE 50; and JANE M.B. DOE 51, a minor, by Next Friend of JOHN M.B. DOE 51,</p> <p>Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>United States Olympic Committee, a federally chartered non-profit corporation; Lawrence F. Probst; Robert J. Bach; James M. Benson; Robert Bowlsby; Ursula M. Burns; Anita L. DeFrantz; Daniel L. Doctoroff; James L. Easton; John S. Hendricks; Nina M. Kemppel; Susanne D. Lyons; William C. Marlot; Mary R. McCagg; Steven M. Mesler; Dave W. Ogrian; Pisei Whitney Ping; Angela M. Ruggiero; Kevin M. White; Robert L. Wood; Scott Blackmun; Alan Ashley; and Larry Buendorf,</p> <p>Defendants.</p>	<p>Case No.</p>
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## **COMPLAINT AND JURY DEMAND**

Plaintiffs (“Plaintiffs”) state for their Complaint (“Complaint”) against the United States Olympic Committee (“USOC”) and its responsible Officers and Directors (“Officers and Directors”) and allege:

### **I. PRELIMINARY STATEMENT**

1. This is a civil action for declaratory, injunctive, equitable, and monetary relief for injuries sustained by Plaintiffs as a result of the acts and omissions of the USOC, its Officers and Directors and its National Gymnastics Governing Board (“NGB”) in failing to prevent the sexual assault, abuse, molestation, and nonconsensual sexual touching and harassment by Lawrence Gerard Nassar (“Nassar”), and other USOC/USA Gymnastics (USAG) Coaches, of hundreds of young female athletes, including Plaintiffs, many of whom were minors at the time they sexually abused and harmed by the abuse.

2. USOC/USAG Coaches and Nassar’s sexual abuse of hundreds of young female athletes has led to numerous criminal prosecutions, terminations of employment of scores of executives of affiliated organizations who were complicit in the crimes, hundreds of civil lawsuits, state and federal remedial legislation and countless world-wide media reports. The fallout from the revelations of Nassar’s conduct alone and those individuals who enabled or sanctioned or participated in his crimes continues to be an unfolding story. The entirety of these developments will be referred to in this Complaint as the “Nassar Scandal.”

3. Plaintiffs seek to hold the USOC and the USOC Officers and Directors named in this lawsuit accountable for participating in the wrongful conduct which caused injury to Plaintiffs based in part on Defendants failure to timely implement mandatory reporting obligations, oversight and risk management of the sexual abuse of young athletes by adults who

are under the control and jurisdiction of the USOC, its Officers and Directors and its various NGBs.

4. Over the past few decades, there has been a growing societal awareness of the pervasiveness of sexual abuse in youth-oriented organizations. Sexual abuse scandals have hit many organizations, such as the Catholic Church, the Boy Scouts, schools, hospitals and most notably youth sports.

5. Since the 1980s, about 290 Olympic coaches and officials have been convicted of sexual misconduct against minors. The USOC, its Officers and Directors and their NGBs have known for decades that sexual predators and pedophiles are attracted to the occupation of coaching young athletes yet failed to take effective action to detect and eliminate from Olympic sports those adults who posed an unreasonable risk of harm to the young athletes they were duty bound to protect.

6. Since as early as 1999, USOC and its Officers and Directors were fully cognizant of the increasing threat of sexual misconduct in youth sports but failed to implement reporting and action requirements and obligations of USOC Officers and Directors, employees, agents and those in charge of the Gymnastics NGB which, if implemented, would have prevented the injuries to Plaintiffs.

7. Given this history, the USOC, its Officers and Directors were empowered by Congress to prevent the crimes which are at the heart of the Nassar Scandal and other USOC/USAG Coaches.

8. Given the painful history of adult authority figures in amateur athletics committing sexual violence against young athletes under their supervision and Defendants' utter disregard of this national disgrace, the Nassar Scandal, and other coach abuse, was predictable

and hence preventable.

9. After a major sexual abuse scandal hit the headlines in 2010, the USOC and its Officers and Directors recognized that it was their duty to implement safeguards to prevent sexual violence against young amateur athletes on a nationwide enterprise level and regardless of the athlete's affiliation with the USOC or one of its NGBs.

10. The USOC wrongfully failed to implement its nationwide plan on an enterprise level which would have protected all young athletes in the United States from sexual violence until 2017.

11. The nationwide plan was finally implemented only after the Nassar Scandal erupted and caught the attention of the world. For many of the Plaintiffs, the implementation of real safeguards against sexual violence was too little, too late.

12. Notwithstanding the USOC's self-imposed duty to protect young athletes regardless of USOC affiliation, the USOC failed to deliver on its promise and because of this failure USOC/USAG coaches had decades and Nassar had seven more years to carry out his reign of terror.

## **II. JURISDICTION AND VENUE**

13. This action is brought, in part, pursuant to Title IX of the Educational Amendments of 1972, 20 U.S.C. § 1681, *et seq.*, as more fully set forth herein.

14. This is also an action to redress the deprivation of Plaintiffs' constitutional rights under the Fourteenth Amendment of the United States Constitution pursuant to 42 U.S.C. § 1983.

15. Subject matter jurisdiction is founded upon 28 U.S.C. § 1331 which grants subject matter jurisdiction to district courts over all civil actions arising under the Constitution,

laws, and treaties of the United States.

16. Pursuant to 36 U.S.C.A. §220505(b)(9), the USOC may “sue and be sued” in any federal district court.

17. Subject matter jurisdiction is also founded upon 28 U.S.C. § 1343 which grants subject matter jurisdiction to district courts over any civil actions authorized by law to be brought by any person to redress the deprivation, under color of any State Law, statute, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States, and any civil action to recover damages or to secure equitable relief under any Act of Congress providing for the protection of civil rights.

18. Plaintiffs further invoke the supplemental jurisdiction of this Court, pursuant to 28 U.S.C. § 1367(a) to hear and decide all claims arising under state law that are so related to the claims within the original jurisdiction of this Court that they form part of the same case or controversy.

19. Plaintiffs’ claims are cognizable under the United States Constitution, 42 U.S.C. § 1983, 20 U.S.C. § 1681 *et seq.*, and under Colorado law.

20. The events giving rise to many of the causes of action in Plaintiffs’ complaint primarily occurred in Colorado Springs, El Paso County, Colorado which sits in the United States District Court, District of Colorado.

21. Venue is proper in the United States District Court, District of Colorado, pursuant to 28 U.S.C. § 1391(b)(2), in that this is the judicial district in which the events giving rise to the claim occurred.

22. The amount in controversy exceeds the jurisdictional minimum of \$75,000.00.

### **III. PARTIES**

23. Plaintiffs reallege and incorporate by reference the allegations contained in the preceding paragraphs.

24. Plaintiffs are individuals, including parents and natural guardians individually and on behalf of their minor children, if applicable, who were sexually assaulted and abused by Nassar under the guise of medical treatment as a result of USOC's misconduct, failures and omissions.

25. Plaintiff Jane L.B. Doe 1 is an adult female resident of Florida.

26. Plaintiff Jane A.D. Doe 2 is an adult female resident of North Carolina.

27. Plaintiff Jane M.D. Doe 3 is an adult female resident of Pennsylvania.

28. Plaintiff Jane L.H. Doe 4 is an adult female resident of Michigan.

29. Plaintiff Jane T.J. Doe 5 is an adult female resident of Michigan.

30. Plaintiff Jane S.N. Doe 6 is an adult female resident of Massachusetts.

31. Plaintiff Jane T.O. Doe 7 is an adult female resident of Arizona.

32. Plaintiff Jane S.W. Doe 8 is an adult female resident of Michigan.

33. Plaintiff Jane D.Z. Doe 9 is an adult female resident of Illinois.

34. Plaintiff Jane A.H. Doe 10 is an adult female resident of Michigan.

35. Plaintiff Jane I.B. Doe 11 is an adult female resident of Michigan.

36. Plaintiff Jane K.O. Doe 12 is an adult female resident of Michigan.

37. Plaintiff Jane S.B. Doe 13 is an adult female resident of Michigan.

38. Plaintiff Jane A.B. Doe 14 is an adult female resident of Michigan.

39. Plaintiff Jane B.M. Doe 15 is an adult female resident of California.

40. Plaintiff Jane E.H. Doe 16 is an adult female resident of Michigan.

41. Plaintiff Jane K.B. Doe 17 is an adult female resident of Kansas.

42. Plaintiff Jane T.G. Doe 18 is an adult female resident of Illinois.

43. Plaintiff Jane M.K. Doe 19 is an adult female resident of Tennessee.

44. Plaintiff Jane K.R. Doe 20 is an adult female resident of Massachusetts.

45. As of the filing of this Complaint, Plaintiff Jane J.K. Doe 21 is still a minor, and is represented by her Next Friend and Mother Mary T.K. Doe 21, a resident of Kentucky.

46. Plaintiff Jane C.P. Doe 22 is an adult female resident of South Carolina.

47. As of the filing of this Complaint, Plaintiff A.K. Doe 23 is still a minor, and is represented by her Next Friend and Mother, Mary N.F. Doe 23, a resident of California.

48. Plaintiff Jane R.B. Doe 24 is an adult female resident of Michigan.

49. Plaintiff Jane D.C. Doe 25 is an adult female resident of Michigan.

50. Plaintiff Jane K.C. Doe 26 is an adult female resident of Florida.

51. Plaintiff Jane A.C. Doe 27 is an adult female resident of Michigan.

52. Plaintiff Jane A.H. Doe 28 is an adult female resident of Michigan.

53. Plaintiff Jane G.S. Doe 29 is an adult female resident of Minnesota.

54. Plaintiff Jane L.K. Doe 30 is an adult female resident of Texas.

55. Plaintiff Jane L.N. Doe 31 is an adult female resident of Michigan.

56. Plaintiff Jane S.R. Doe 32 is an adult female resident of Michigan.

57. Plaintiff Jane K.W. Doe 33 is an adult female resident of Michigan.

58. Plaintiff Jane N.C. Doe 34 is an adult female resident of Wisconsin.

59. Plaintiff Jane A.B. Doe 35 is an adult female resident of Michigan.

60. Plaintiff Jane J.S. Doe 36 is an adult female resident of Illinois.

61. Plaintiff Jane A.B. Doe 37 is an adult female resident of New York.

62. Plaintiff Jane A.P. Doe 38 is an adult female resident of Michigan.

63. Plaintiff Jane K.C. Doe 39 is an adult female resident of Connecticut.

64. Plaintiff Jane M.O. Doe 40 is an adult female resident of North Carolina.

65. Plaintiff Jane L.C. Doe 41 is an adult female resident of Virginia.

66. Plaintiff Jane L.W. Doe 42 is an adult female resident of Colorado.

67. As of the filing of this Complaint, Plaintiff Jane A.C. Doe 43 is still a minor, and is represented by her Next Friend and Father, John A.C. Doe 43, a resident of Texas.

68. Plaintiff Jane R.H. Doe 44 is an adult female resident of Michigan.

69. Plaintiff Jane A.G. Doe 45 is an adult female resident of Michigan.

70. Plaintiff Jane E.A. Doe 46 is an adult female resident of Michigan.

71. Plaintiff Jane R.V. Doe 47 is an adult female resident of Michigan.

72. Plaintiff Jane A.B. Doe 48 is an adult female resident of Wisconsin.

73. As of the filing of this Complaint, Plaintiff Jane R.D. Doe 49 is still a minor, and is represented by her Next Friend and Mother, Mary R.D. Doe 49, a resident of Michigan.

74. As of the filing of this Complaint, Plaintiff Jane D.C. Doe 50 is still a minor, and is represented by her Next Friend and Mother, Mary D.C. Doe 50, a resident of Michigan.

75. As of the filing of this Complaint, Plaintiff Jane M.B. Doe 51 is still a minor, and is represented by her Next Friend and Father, John M.B. Doe 51, a resident of Michigan.

76. Plaintiffs' names have been withheld from this Complaint to protect Plaintiffs' identity as this action involves sexual abuse.<sup>1</sup>

77. Nassar is a Doctor of Osteopathic Medicine and resides in a federal prison located

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<sup>1</sup> Plaintiffs will seek an order of the Court to restrict and a protective order allowing disclosure of Plaintiffs Jane Doe identities thereafter and the conditions for disclosure and confidentiality.



in Arizona.

78. From 1986 to approximately 2016, Nassar had an employee or agency relationship with USOC holding various positions and capacities as a physician providing medical care and treatment to young athletes who were members of USA Gymnastics.

79. At all relevant times alleged in this Complaint Nassar was acting within the scope of his employment or agency with USOC.

80. The USOC is a not-for-profit corporation that was federally chartered pursuant to the Amateur Sports Act of 1978. 36 U.S.C.A. § 220522 (1994). The USOC receives substantial sums of money from the federal government having its principal place of business in the State of Colorado and is headquartered in Colorado Springs, Colorado. Defendant USOC is authorized to conduct business and conducting business throughout the United States, including the State of Colorado. USOC's wrongful conduct primarily took place in the state of Colorado and elsewhere.

81. The USOC is an organization to whom federal financial assistance is extended directly or through another recipient and which operates an educational program or activity receiving federal financial assistance or benefits from such assistance and is subject to Title IX. 20 U.S.C. § 1681 *et. seq.*

82. The Sports Act gives the USOC the power to control all the NGBs. USAG is one of 47 NGBs recognized by the USOC under the Act that sponsors or arranges amateur athletic competition.

83. The following Defendants (collectively as "USOC Directors" or "Directors") were Directors of USOC in some part of or all of 2015 and these Directors are sued in their individual capacities: Lawrence F. Probst, Chairman of the Board, Director Robert J. Bach,

Director James M. Benson, Director Robert Bowlsby, Director Ursula M. Burns, Director Anita L. DeFrantz, Director Daniel L. Doctoroff, Director James L. Easton, Director John S. Hendricks, Director Nina M. Kemppel, Director Susanne D. Lyons. Director William C. Marlot, Director Mary R. McCagg, Director Steven M. Mesler, Director Dave W. Ogreaan, Director Pisei Whitney Ping, Director Angela M. Ruggiero, Director Kevin M. White, Director Robert L. Wood.

84. Upon information and belief, Defendant Lawrence F. Probst is a resident of the State of California.

85. Upon information and belief, Defendant Robert J. Bach is a resident of the State of Washington.

86. Upon information and belief, Defendant James M. Benson is a resident of the State of Arizona.

87. Upon information and belief, Defendant Robert Bowlsy is a resident of the State of Texas.

88. Upon information and belief, Defendant Ursula M. Burns is a resident of the State of New York.

89. Upon information and belief, Defendant Anita L. DeFrantz is a resident of the State of California.

90. Upon information and belief, Defendant Daniel L. Doctoroff is a resident of the State of New York.

91. Upon information and belief, Defendant James L. Easton is a resident of the State of California.

92. Upon information and belief, Defendant John S. Hendricks is a resident of the State of Florida.

93. Upon information and belief, Defendant Nina M. Kemppel is a resident of the State of Alaska.

94. Upon information and belief, Defendant Susan D. Lyons is a resident of the State of California.

95. Upon information and belief, Defendant William C. Marlot is a resident of the State of Arizona.

96. Upon information and belief, Defendant Mary R. McCagg is a resident of the State of Massachusetts.

97. Upon information and belief, Defendant Steven M. Mesler is a resident of the Province of Alberta, Canada and is currently a board member of the United States Olympic Committee, headquartered in Colorado Springs, Colorado.

98. Upon information and belief, Defendant Dave W. Ogrian is a resident of the State of Colorado.

99. Upon information and belief, Defendant Pisei Whitney Ping is a resident of the State of California.

100. Upon information and belief, Defendant Angela M. Ruggiero is a resident of the Commonwealth of Massachusetts.

101. Upon information and belief, Defendant Kevin M. White is a resident of the State of North Carolina.

102. Upon information and belief, Defendant Robert L. Wood is a resident of the State of Florida.

103. Officer Defendants (known collectively as either “USOC Officers” or “Officers”) are Scott Blackmun, Chief Executive Officer, Alan Ashley, Chief Sports Performance and Larry Buendorf, Chief Security Officer.

104. Scott Blackmun (“Blackmun”) was the Chief Executive Officer for USOC from 2010 until 2018 when he resigned because of the Nassar Scandal. Blackmun was replaced by Sarah Hirshland (“Hirshland”).

105. Alan Ashley (“Ashley”) was Chief of Sport Performance for USOC from approximately 2010 to December 2018. As the Chief of Sport Performance Ashley was responsible for providing targeted resources and support to U.S. National Governing Bodies, athletes and coaches, including USAG. Ashley was fired on December 10, 2018 by Hirshland, after she was made aware of the contents of the Ropes & Gray Independent Investigative Report issued that day.

106. Larry Buendorf (“Buendorf”), Chief Security Officer from 1993 to April, 2018 was in charge of managing USOC security issues. Buendorf was replaced by Nicole Deal in July 2018.

107. Upon information and belief, Defendant Scott Blackmun is a resident of the State of Colorado.

108. Upon information and belief, Defendant Alan Ashley is a resident of the State of Colorado.

109. Upon information and belief, Defendant Larry Buendorf is a resident of the State of Colorado.

110. Blackmun, Ashley and Buendorf will be referred to collectively as the “USOC Officers.”

111. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

#### **IV. STATEMENT OF FACTS**

##### ***A. The Federal Government Establishes the USOC to Govern US Amateur Sports***

112. Congress originally chartered the United States Olympic Association in 1950 to organize and promote the United States' participation in international Olympic competition. This spun into the United States Olympic Committee (the "USOC") in 1964.

113. In 1978, concerned with "the disorganization and the serious factional disputes that seemed to plague amateur sports in the United States," Congress enacted the Ted Stevens Olympic and Amateur Sports Act ("the Sports Act"), P.L. 95–606 (now codified at 36 U.S.C. § 220501, *et seq.*), to codify the purpose and powers of the USOC, and to create NGBs for each Olympic Sport. The Sports Act controls the USOC and all NGBs, who merely operate as extensions or agents of the USOC.

114. The stated purposes of the USOC include: to develop amateur athletic activity in the United States directly related to international amateur athletic competition; to exercise "exclusive jurisdiction" over "all matters" pertaining to U.S. participation in the Olympic and Pan-American Games; to "obtain for the United States...the most competent amateur representation possible in each event" of the games; to provide "swift resolution of conflicts"; to "protect the opportunity of any amateur athlete, coach, trainer, manager, administrator, or official to participate in amateur athletic competition. Ted Stevens Amateur Sports Act, 36 U.S.C. §§220501, *et seq.*

115. Defendant USOC had a mandatory obligation to ensure that before granting NGBs, including USAG, a sanction to host National or International events, that they provide "proper medical supervision will be provided for athletes who will participate in the competition." 36 U.S.C. §§220525(b)(4)(E).

116. Defendant USOC has the power to decertify USAG and any member gyms or teams in executing their duty to ensure "proper safety precautions have been taken to protect the personal welfare of the athletes," in granting NGBs a sanction to host national or international events." 36 U.S.C. §220525(b)(4)(F).

117. The stated purposes of the USOC include: to develop amateur athletic activity in the United States directly related to international amateur athletic competition; to exercise "exclusive jurisdiction" over "all matters" pertaining to U.S. participation in the Olympic and Pan-American Games; to "obtain for the United States...the most competent amateur representation possible in each event" of the games; to provide "swift resolution of conflicts"; to "protect the opportunity of any amateur athlete, coach, trainer, manager, administrator, or official to participate in amateur athletic competition"; and, recently, "to promote a safe environment in sports that is free from abuse, including emotional, physical, and sexual abuse, of any amateur athlete."

118. The Sports Act gives the USOC the power to control all the NGBs.

119. USAG is one of 47 NGBs recognized by the USOC under the Act that sponsors or arranges amateur athletic competition.

120. The USOC accomplishes this by recognizing, for each of the various sports represented in the Olympic Games, one eligible amateur sports organization as an NGB for that sport, and the USOC provides substantial financial support to that NGB.

121. Under the Sports Act, the USOC has a duty to protect the young athletes who seek to compete in Olympic sports in the United States. The USOC is responsible for the conduct of its NGBs and is required by statute to make sure Team USA's athletes are kept safe from sexual predators.

122. The Sports Act allows the USOC to force NGBs to adopt policies and procedures to ensure the physical safety of athletes.

***B. USOC and Its Officers and Directors Control the USAG and They Have a Duty to Protect Young Athletes From Sexual Abuse by USOC Sanctioned Coaches, Trainers and Medical Providers***

123. Plaintiffs had a special and fiduciary relationship with Defendant USOC by virtue of being treated by Nassar (an agent of USOC) at USOC sanctioned events, and by virtue of Plaintiffs being dues paying members of USAG, an entity under Defendant USOC's control.

124. Some Plaintiffs were under the direct supervision and control of USOC or its agents at national and international events and were in fact *in loco parentis* with USOC while receiving "treatment" from Nassar.

125. Oftentimes while training (including training at the Karolyi Ranch, a USOC/USAG sponsored program and sanctioned facility), and while competing at USOC/USAG sanctioned events Plaintiffs were away from their parents and under the complete care, custody, and control of USOC.

126. Given the special and fiduciary relationship between Plaintiffs and Defendant USOC, USOC had an affirmative duty to disclose, warn and protect their members who sought Nassar's medical treatment from sexual abuse, assault, and molestation.

127. Plaintiffs were minors or young adults who trusted when Defendant USOC recommended Nassar to provide them with medical services and who also possessed sensitive and confidential information about their health. For example, in 1999, the USOC required all NGBs to purchase insurance to specifically cover the sexual assaults of any minor.

128. If NGBs did not purchase sexual abuse insurance, their members would not be permitted to use the USOC training facilities in Chula Vista, California; Lake Placid, New York; Marquette, Michigan; or Colorado Springs, Colorado.

129. In 2010, the USOC created a task force to address the issue of child sexual assault in all USOC controlled sports and to make recommendations.

130. In September 2012, that task force presented its recommendations to the USOC Board of Directors.

131. The USOC Board took no effective action on those recommendations for almost seven years.

132. In 2013, the USOC required each NGB to adopt an Athlete Safety Program by December 31, 2013.

133. The USOC took no action to ensure that its NGBs, including USAG, actually adopted such a program and yet the USOC exerted its considerable influence, especially monetary, over NGBs based on success at the Olympic Games.

134. In 2017, the USOC provided funding to each of the NGBs, but this funding ranged from a few hundred to a few million dollars. And although the USOC evaluates many factors when distributing funds, the foremost consideration is the NGB's ability to generate medals, with the marketability of successful athletes serving as an important secondary consideration.



135. Indeed, the USOC's focus on athletic and monetary success was so prevalent that one former USOC executive recalled that the words "money and medals" were probably uttered at every staff meeting, typically more than once, with the effect of marginalizing other topics such as athlete programming. As a result, the USOC evaluated athletes much like a professional sports organization or any other company evaluating assets and examined the return brought by athletic success on its monetary investments.

136. The USOC's decision to defer to the NGBs and exert minimal oversight is highlighted by (i) the USOC's willingness to credential an NGB's preferred medical provider, even if there were concerns about the provider, and (ii) the USOC's licensing of Olympic Training Sites, which carried the branding of the USOC, but otherwise operated independently.

137. In or around 1996 Nassar was appointed by USOC as a member of the medical staff for the 1996 USAG National Team and the medical treatment provided to them at the 1996 Olympic games. By virtue of this appointment, he provided medical treatment to the USAG National Team at any and all events where the team participated. This appointment also permitted Nassar to provide medical treatment to other USAG gymnasts.

138. Following the 2012 Olympics, the USOC medical team filled out evaluations of the various NGB medical staff that worked at the Games, and Nassar received low marks and a recommendation that the USOC not invite him to future Games based on his inability to work well in a multi-sport environment.

139. The Chief Medical Officer of USOC reviewed the evaluation during his interview with the Independent Investigators and commented that this recommendation would have had no effect on whether Nassar attended a future Olympics.

140. The existing practice was to defer to the USAG selection of Nassar, so that he would be guaranteed the right to attend the next Olympic Games.

141. The USOC deferred to the NGBs and exerted only minimal oversight as highlighted by USOC's decision to credential an NGB's preferred medical provider, even if there were USOC concerns about that provider.

142. Uncovered documents from the spring of 2015 indicate that Nassar was indeed scheduled to attend the Rio Games, despite the negative review from 2012.

143. Likewise, USOC oversight of Olympic training facilities was limited to the issue of whether the training facility was properly managing the iconic USOC Five Ring brand.

144. The USOC's designation of the Karolyi Ranch as an Olympic Training Site provides an example of the danger of lending the Olympic brand without corresponding oversight. With the express approval of USOC, Nassar regularly provided services or treatment to USAG members and those who trained at the Karolyi Ranch facility.

145. The USOC did not perform any traditional due diligence such as conducting a site inspection or otherwise investigating the conditions at the Ranch. Nor did it undertake any specific assessment to determine whether the remote location was appropriate for a physically dangerous sport like gymnastics.

146. The USOC failed to create an auditing process by which it would become aware of sexual abuse allegations at USAG in particular and generally the other NGBs.

147. The USOC did not require the NGBs to track this information resulting in the USOC not knowing that USAG had received a high number of complaints or anything about the nature of those complaints.

***C. USOC Has Operated for Decades in a Pervasive Pattern of USOC Sanctioned Coaches, Trainers and Medical Providers Sexually Assaulting Young Athletes***

148. The USOC, its Officers and Directors were fully aware of the growing societal awareness of the pervasiveness of sexual abuse in youth-oriented organizations. Large-scale sexual abuse crises have hit many organizations, such as the Catholic Church, the Boy Scouts, schools and hospitals.

149. Since 1982, more than 290 coaches and officials associated with the USOC sports organizations have been publicly accused of sexual misconduct, according to a *Washington Post* review of sport governing body banned lists, news clips, and court records in several states.

150. Between 1996 and 1998, Kathy Scanlan (“Scanlan”), the president of USAG at the time, expressed concern to USOC’s chair of the Board of Directors, Sandy Knapp, and that sexual abuse by professional members was an ongoing issue within USAG.

151. USAG was informed that their existing process of revoking memberships, investigating professional members of suspected or alleged sexual misconduct with minors, and banning professional members from the sport contradicted USOC policies.

152. According to Scanlan, USOC discouraged USAG from establishing policies to investigate and ban professional members alleged of sexual misconduct.

153. Stories of abuse in youth sports have likewise grabbed headlines. For example, the cover page of the September 13, 1999 issue of *Sports Illustrated* stated “Who’s Coaching Your Kid,” with a center story concerning coaches who used their position to gain the trust and loyalty of children and then abuse them.

154. As news and reports broke about systemic sexual misconduct occurring within NGBs governed by USOC, several NGBs, including USAG, requested that USOC take a

leadership role in developing protective policies to be implemented by NGBs. Despite the growing concern of sexual misconduct USOC failed to adopt and update policies and procedures to address the issue.

155. Despite this growing recognition of the threat of sexual abuse, the USOC and many NGBs failed to adopt updated policies and practices. The USOC had not taken any steps to position the organization to better understand the nature and seriousness of the issue, such as by collecting information from NGBs on the topic.

156. When the 2010 sexual abuse scandal erupted at USA Swimming with an ABC television report detailing numerous relationships between coaches and young swimmers and revealing that 36 coaches had been banned over the previous decade, USA Swimming was caught in a media firestorm.

157. As part of the USOC's efforts to deal with the USA Swimming scandal, Blackmun hired Malia Arrington to the newly-created position of Director of Ethics and SafeSport in April 2011.

158. The USOC adopted a Safe Sport standard for the protection amateur athlete on an enterprise level regardless of USOC or NGB affiliation.

159. In June 2014, the USOC board approved the plan to create an independent SafeSport entity. The Center for SafeSport ("USCSS") eventually opened in March 2017, almost seven years after the USOC had formed its initial SafeSport working group.

160. From the USSCS' launch in 2017 to April 13, 2018, the Center received written and oral reports, complaints, and allegations regarding sexual abuse from 35 of the 48 NGBs.

161. The UCSS, since its inception, has averaged 85 complaints of sexual abuse per month.

162. Although allegations of sexual abuse are generally kept confidential, in recent years, many NGBs have been at the center of public sexual abuse scandals. These scandals have raised concerns about the USOC and NGBs' ability to adequately oversee the safety of athletes in organized sport. Below is a non-exhaustive list of some of the recent controversies regarding sexual assault in the Olympic movement and the associated concerns with the USOC and NGB's ability to protect the well-being of athletes.

163. During all the delays in opening the Center for SafeSport, the USOC did not enact basic protective measures, such as ensuring that the Olympic Training Sites established sufficient athlete safety policies or requiring NGBs to comply with best practices during travel involving adults and children.

164. Between 2010 and 2017, the USOC failed to update its own processes for handling complaints. The USOC continued its practice of declining to intervene at the level of individual complaints and, at the same time, remained largely in the dark with respect to NGB-level complaint processes. Many NGBs lacked employees with expertise in handling complaints of abuse, and some athletes and other participants feared that making a complaint directly to the NGB for their sport would result in retaliation and permanent harm to their athletic careers.

165. Outside of the formal complaint process, prior to the creation of the Center for SafeSport, complaints raised by athletes alleging misconduct were routinely rerouted back to the associated NGB.

166. By directing complainants back to the relevant NGB, the USOC failed to appreciate the concern that the complainant could face retaliation from the NGB. Athletes and coaches expressed a fear of bringing complaints about a popular coach or administrator to a tight-knit NGB.

167. USAG was aware of the danger of sexual abuse in its sport, took high-level steps to help protect gymnasts and promoted itself as a leader in athlete protection issues. However, USAG erected numerous procedural obstacles in the complaint resolution process that kept USAG from effectively addressing serious, credible allegations of child sexual abuse.

168. USOC Defendants failed to implement and enforce policies and procedures that embraced a child-first approach when handling complaints of sexual misconduct. This led to stark failures in implementing and enforcing effective measures to protect athletes from sexual misconduct and abuse.

***D. USOC Officers Ignore Complaints about Nassar Resulting in the Continuation of Nassar's Access to Young Woman for Sexual Assaults Under the Guise of Medical Treatment.***

169. In 2018, the USOC Directors engaged Ropes and Gray LLP to conduct an independent investigation ("Independent Investigation") that found that Nassar's ability to abuse athletes and patients for nearly three decades was a manifestation of the failures of the USOC to adopt and enforce appropriate child-protective policies and procedures to ensure a culture of safety.

170. The Independent Investigation found that USOC failed to implement protective measures to safeguard athletes and to supervise and monitor physicians and coaches. The USOC affirmatively failed to address the issues of sexual assault.

171. Despite having been directly informed by NGBs of the threat of sexual misconduct in elite sports, USOC failed to take affirmative action for many years thereby permitting NGBs, including USAG, to continue to adhere to inadequate and harmful policies and practices.

172. The USOC engaged in affirmative efforts to protect and preserve institutional interests of NGBs, including USAG, while taking no meaningful steps to protect athletes from

the danger presented by Nassar. Rather, these organizations, each in their own way, maintained secrecy regarding the Nassar allegations and focused on controlling the flow of information about his alleged misconduct.

173. USOC Defendants failed to implement and enforce protocols or policies regarding the medical treatment of athletes, such as whether, and how, trainers, and medical staff, including Nassar, could treat patients in hotel rooms on the road which was a practice Nassar often employed.

174. While employed by the USOC, Nassar practiced medicine at MSU's Sports Medicine Clinic, which is located on MSU's East Lansing, Michigan campus, at USOC and USAG sanctioned events worldwide, and at USAG gym.

175. The work performed by Nassar for USAG and Defendant USOC, was performed within the course and scope of Nassar's employment with MSU, and Defendant USOC was responsible for supervising Nassar, protecting the Plaintiffs from Nassar and warning the Plaintiffs' parents of the risk posed by Nassar to the Plaintiffs and other minor girls in Defendant USOC's care.

176. As part of Nassar's employment and contractual duties with MSU, Nassar was responsible for spending between 50 to 70% of his time engaged in "Outreach" and/or "Public Services."

177. A part of Nassar's outreach included providing medical treatment to athletes affiliated with USOC as well as other organizations such as Holt High School.

178. Nassar received financial benefits from his relationship with USOC including but not limited to increased patients at the MSU Sports Medicine clinic, and national and international recognition, fame, and prestige.

179. USOC received financial benefits from its relationship with Nassar, and also MSU, including but not limited increased membership in its organization, increased or additional membership fees, and national and international recognition, fame, and prestige.

180. The USOC as an organization was effectively disabled from considering and taking appropriate action in response to the athlete complaints about Nassar due to the decision by two senior officers of the USOC to keep the matter to themselves.

181. In July 2015, USAG CEO Penny directly notified Blackmun, that National Team members had lodged sexual abuse allegations against USAG's National Team doctor, Larry Nassar.

182. USAG CEO Steve Penny ("Penny") also shared certain information with Ashley about the sexual abuse allegations. Neither Mr. Blackmun nor Mr. Ashley shared the information received from Mr. Penny with others in the organization, and the USOC took no action between July 2015 and the date the *Indianapolis Star* published its account of Nassar's child sexual abuse in September 2016.

183. After Penny advised Blackmun that USAG had received disturbing allegations about the gymnastics team doctor, Blackmun did not inform anyone else at the USOC of the allegations, including any member of the USOC Board of Directors or any member of the USOC SafeSport team.

184. Ashley likewise took no action in response to the information that Mr. Penny had shared with him.

185. Blackmun did not initiate any internal review or other assessment to gather facts regarding Nassar, the athlete concerns, the scope of the alleged misconduct or Nassar's ability to gain access to athletes at USOC-owned and operated facilities, such as the U.S.



Olympic Training Center in Colorado Springs, Colorado.

186. Neither Blackmun nor Ashley alerted Nassar's employer, MSU or other youth-serving organizations with which Nassar was affiliated to the ongoing risk of harm. When Buendorf reported to Blackmun that he had learned from Penny that athletes had raised concerns about a doctor's "technique" and that USAG had made a report to the FBI, Blackmun told Buendorf that he was already aware of the issue and neither asked any questions nor sought any guidance from his Chief of Security on appropriate child-protective measures.

187. Blackmun and Ashley also each deleted from their respective email accounts the one email referencing Nassar by name that Penny had sent to the two of them in September 2015.

188. Further, in early 2018 – long after the *Indianapolis Star* had publicly exposed Nassar – Susanne Lyons ("Lyons"), then a board member at the USOC sent an email to Blackmun conveying her understanding that, prior to publication of the *Indianapolis Star* article, Buendorf was the only person at the USOC who had known that Nassar was the alleged perpetrator.

189. Blackmun failed to correct Lyons's clear misunderstanding. He failed to explain to Lyons not only that he and Mr. Ashley had been the first to know of the allegations, but also that Buendorf, promptly after learning of the allegations from Penny, had dutifully reported those allegations to Blackmun.

190. USOC's inaction and concealment had consequences: dozens of girls and young women were abused during the year-long period between the summer of 2015 and September 2016.

191. During a press conference held prior to the opening of the 2018 Winter Olympic Games in PyeongChang, South Korea, USOC Chairman, Defendant Larry Probst apologized to sexual assault survivors of Nassar, saying “The Olympic system in the United States failed those athletes ... and we are part of the Olympic System in the United States.

192. Chairman Probst acknowledged the USOC should have reached out sooner to gymnasts who were survivors of sexual abuse.

193. Probst also acknowledge the USOC should have attended sentencing hearings in Michigan from January to February 2018, stating “That was simply a mistake ... We should have been there.”

194. At that same press conference, Mr. Probst also defended Scott Blackmun’s handling of the complaints received by the USOC in 2015 regarding Nassar’s sexual misconduct.

195. Mr. Blackmun later resigned as CEO of the USOC.

196. Later, in February 2018, Congress enacted the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act (“Safe Sport Act”) to “prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes.”

197. On March 28, 2017, in a hearing on the congressional bills preceding the enactment of the Safe Sport Act, Rick Adams, USOC Executive in charge of governing body development apologized to survivors of sexual abuse stating, “We do take responsibility, and we apologize to any young athlete who has ever faced abuse.”

198. On January 22, 2019 Chairman of the Senate Committee on Finance Chuck Grassley challenged whether the USOC is in compliance with its stated purpose of providing “a

safe environment in sports that is free from abuse, including emotional, physical and sexual abuse, of any amateur athlete” and ordered the USOC to provide written responses to 7 areas of inquiry by February 4, 2019, including but not limited to:

- a) Whether or not the USOC has taken any steps to restore its integrity considering former USOC CEO Scott Blackman and Chief of Sport Performance Alan Ashley failed to act even though they were informed of abuse in 2015, 14 months prior to Nassar’s arrest;
- b) Whether the USOC actively investigating whether or not other individuals within USOC were made aware of the abuse allegations;
- c) Whether SafeSport, as a non-profit without a revenue stream, is adequately funded to investigate claims of abuse by amateur athletes at the NGB’s;
- d) Whether the USOC’s \$3.1 million annual donation (less than 2% of the USOC’s annual gross revenue) is sufficient for SafeSport to function and further whether the USOC intends to increase this funding;
- e) What, if anything, the USOC is doing to assist survivors of Nassar’s abuse; and
- f) Whether the USOC has instituted training for its board members and other personnel, including NGB personnel, on how to identify warning signs of sexual abuse.

## **V: PLAINTIFFS’ SPECIFIC ALLEGATIONS**

199. Plaintiffs reallege and incorporate by reference the allegations contained in the proceeding paragraphs.

200. As an initial matter, all of Plaintiffs claims are timely brought under Colorado law, specifically Colo. Rev. Stat. Ann. § 13-80-101, § 13-80-108, § 13-80-103.7, and § 13-22-

101. Indeed, at the earliest, Plaintiffs did not and could not have discovered that their injuries were caused by the Defendants until Ropes & Gray, LLC's Report of the Independent Investigation was published on December 10, 2018.<sup>2</sup> Moreover, Defendants fraudulently concealed material facts so that they could not be discovered by the Plaintiffs.

### **PLAINTIFF JANE L.B. DOE 1**

201. During Nassar's employment, agency, and representation with the Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane L.B. Doe 1 by touching her genital area and digitally penetrating her vagina without Plaintiff's consent.

202. In 2013 Plaintiff Jane L.B. Doe 1 was a vibrant 21-year-old elite gymnast attending school at Western Michigan University. She desired to pursue a career as a Physician Assistant specializing in orthopedics.

203. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

204. Plaintiff Jane L.B. Doe 1 sought treatment from Nassar in 2013 for chronic right hip and left wrist pain. Initially, on or about May 28, 2013, Plaintiff Jane L.B. Doe 1 contacted Nassar via email and requested a second opinion concerning her ongoing right hip and left wrist pain.

205. From on or about May 29, 2013 to June 3, 2013, Plaintiff Jane L.B. Doe 1 and Nassar corresponded via email concerning Plaintiff's prior treatment and the nature of her ongoing pain.

206. On or about June 2, 2013, Nassar requested via email that Plaintiff Jane L.B. Doe 1 schedule a visit to his office at MSU Sports Medicine on June 5, 2013, as well as that she

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<sup>2</sup> See <https://www.ropesgray.com/-/media/Files/USOC/ropes-gray-full-report.pdf>.

supply her date of birth and cell phone number. Specifically, Nassar stated “I would like to try and see if I can help you.”

207. Plaintiff Jane L.B. Doe 1 attended approximately three (3) or more appointments with Nassar beginning on or about June 5, 2013. Plaintiff attended the first appointment with her mother, but her mother did not accompany her for the subsequent appointments.

208. Nassar referred Plaintiff Jane L.B. Doe 1 to a surgeon for her wrist and offered her treatment for her hip. On each occasion, under the guise of “treatment” Nassar subjected Plaintiff to inappropriate, nonconsensual sexual touching. The supposed treatment that Nassar provided included massages that progressed into digital penetration of Plaintiff’s vagina. The vaginal penetration occurred during all three (3) or more of Plaintiff’s appointments with Nassar.

209. Plaintiff Jane L.B. Doe 1 did not immediately understand Nassar’s inappropriate conduct toward her and felt embarrassment and in fear of repercussions for her career.

210. As a result of Nassar’s conduct, Plaintiff Jane L.B. Doe 1 suffered and continues to suffer emotional distress, anxiety and depression, among other issues. Plaintiff sought professional counseling and medical care to address these ongoing issues. She also chose to specialize in nephrology because it requires only minimal physical contact with patients.

211. Plaintiff Jane L.B. Doe 1’s injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

**PLAINTIFF JANE A.D. DOE 2**

212 During Nassar's employment, agency, and representation with the Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane A.D. Doe 2 by rubbing his genitalia on her, placing her feet against his genitalia and touching her vagina without Plaintiff's consent and without the consent of her parents.

213 In 1998, Plaintiff Jane A.D. Doe 2 was a promising 10-year-old gymnast training at Great Lakes Gymnast Club. Jane A.D. Doe 2 was in level 5/6 training and training level 8 when she finally discontinued competing.

214 Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

215 Plaintiff Jane A.D. Doe 2 received "treatment" from Nassar at Michigan State University on multiple occasions beginning on or about December 18, 1998 and continuing through approximately February 13, 2001. She initially sought treatment from Nassar in 1998 for pain in her knees, lower back and ankles.

216 Plaintiff Jane A.D. Doe 2's mother was often present in the room when Nassar provided "treatment" to Plaintiff but could not see his inappropriate touching and groping. One time, Nassar touched Plaintiff's vagina or the area nearby which caused Plaintiff to gasp and look at her mother. Nassar would respond by saying "sorry, cold hands." On multiple occasions, Nassar inappropriately touched and groped her buttocks and vagina, rubbing her labia and down her crotch. Nassar would also often rub his genitals along her leg and shoulder and put her feet up, claiming to stretch her, and instead he put both feet on the sides of his genitals.

217 Plaintiff Jane A.D. Doe 2 did not immediately realize the inappropriate nature of Nassar's supposed "treatment" because she was young, impressionable and sexually

inexperienced. Nassar also manipulated her, putting a picture of her up in his office next to an Olympian, and being told she needed to be “treated” by him to advance her gymnastics career.

218. Plaintiff Jane A.D. Doe 2 began to realize the inappropriate and abusive nature of Nassar’s conduct in approximately 2017 when others came forward publicly with stories of his abuse. Plaintiff began to remember her experiences with Nassar and realized he sexually assaulted her under the guise of providing “treatment.”

219. Plaintiff Jane A.D. Doe 2 subconsciously carried the effects of Nassar’s abuse throughout her entire life. As a result of Nassar’s conduct, Plaintiff suffered and continues to suffer emotional distress, anxiety and depression, among other issues.

220. As a result, Plaintiff Jane A.D. Doe 2 has sought professional therapy to address symptoms associated with Post-Traumatic Stress Disorder and Generalized Anxiety Disorder which stemmed from her interactions with Nassar.

221. Plaintiff Jane A.D. Doe 2’s injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

### **PLAINTIFF JANE M.D. DOE 3**

222. During Nassar’s employment, agency, and representation with the Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane M.D. Doe 3 by touching and digitally penetrating her vagina without her consent or the consent of her parents.

223. In approximately 1999, Plaintiff Jane M.D. Doe 3 was a promising 17-year-old gymnast.

224. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

225. In approximately 1999, Plaintiff Jane M.D. Doe 3 sought treatment from Nassar for a back injury on or about the time of a gymnastics event in Austin, Texas. Nassar was Plaintiff's assigned team physician.

226. Nassar examined Plaintiff Jane M.D. Doe 3 at a facility at or near Austin, Texas. Defendant told Plaintiff that her lower back pain could stem from internal issues and directed her to remove her underwear for an "internal massage." Defendant then inserted his bare hand into Plaintiff's vagina under the guise of providing "treatment."

227. Plaintiff Jane M.D. Doe 3 felt uncomfortable with Nassar's "treatment," but also felt compelled to endure it because of the pressure of college recruitment and the ongoing demands of the sport, among other reasons.

228. Plaintiff Jane M.D. Doe 3 did not realize the inappropriate and abusive nature of Nassar's conduct until much later and recently as the news broke regarding Nassar. Plaintiff began to remember her experiences with Nassar and realized he sexually assaulted her under the guise of providing "treatment."

229. As a result of Nassar's conduct, Plaintiff Jane M.D. Doe 3 suffered and continues to suffer emotional distress and anxiety, among other issues.

230. Plaintiff Jane M.D. Doe 3's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.



**PLAINTIFF JANE L.H. DOE 4**

231. During Nassar’s employment, agency, and representation with Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane L.H. Doe 4 by touching her genital area and her vagina without Plaintiff’s consent and without the consent of her parents.

232. In 1994 Plaintiff Jane L.H. Doe 4 was a promising 11-year-old gymnast.

233. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

234. Plaintiff Jane L.H. Doe 4 sought treatment for her achilles tendon and bone chips in her elbows from Nassar at his office in East Lansing, Michigan in 1994. She received “treatment” from Nassar on multiple occasions, intermittently from approximately 1994 to 2000.

235. Nassar inappropriately touched, groped and penetrated Plaintiff Jane L.H. Doe 4’s vagina during his supposed “treatment” for her injury.

236. Plaintiff Jane L.H. Doe 4’s father was sometimes present during Nassar’s “treatment” at which times Nassar would conceal his inappropriate touching of Plaintiff and lie to her father about his actions.

237. Plaintiff Jane L.H. Doe 4 did not immediately realize the inappropriate nature of Nassar’s supposed “treatment” because she was young, impressionable and sexually inexperienced.

238. Plaintiff Jane L.H. Doe 4 did not realize the inappropriate and abusive nature of Nassar’s conduct until much later and recently as the news broke regarding Nassar. Plaintiff began to remember her experiences with Nassar and realized he sexually assaulted her under the guise of providing “treatment.”

239. As a result of Nassar's conduct, Plaintiff Jane L.H. Doe 4 suffered and continues to suffer emotional distress, anxiety and difficulties with trust and relationships, among other issues.

240. Plaintiff Jane L.H. Doe 4's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

#### **PLAINTIFF JANE T.J. DOE 5**

241. During Nassar's employment, agency, and representation with the Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane T.J. Doe 5 by touching her genital area and digitally penetrating her vagina without Plaintiff's consent and without the consent of her parents.

242. In 2013, Plaintiff Jane T.J. Doe 5 was a promising 14-year-old gymnast training with Twistars.

243. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

244. Plaintiff Jane T.J. Doe 5 received "treatment" from Nassar at Michigan State University on multiple occasions during 2013 to 2016. She initially sought treatment for wrist pain and later for back pain. She proceeded to visit Nassar for treatment approximately monthly, depending on her level of pain.

245. At some time after the initial treatment for her wrist, Nassar began to provide "treatment" for Plaintiff Jane T.J. Doe 5's pelvis. Dr. Nassar claimed to be tilting Plaintiff's pelvis, which included applying pressure to her inner thighs, placing his fingers near her vagina

and into her underwear, touching her vagina and digitally penetrating her vagina.

246. Dr. Nassar touched and/or penetrated Plaintiff Jane T.J. Doe 5's vagina on at least five (5) separate occasions and possibly more. Plaintiff's mother was present on some of these occasions, but he concealed his actions from her.

247. Plaintiff Jane T.J. Doe 5 did not immediately realize the inappropriate nature of Nassar's supposed "treatment" because she was young, impressionable and sexually inexperienced. Plaintiff saw improvement in her back pain from Nassar "tilting" her pelvis and learned from teammates that Nassar performed the same "tilting" procedure on them to treat back pain. This led Plaintiff to believe Nassar was not acting inappropriately.

248. Plaintiff Jane T.J. Doe 5 only recently realized the inappropriate and abusive nature of Nassar's conduct due to discussions with her former gymnastics teammates after the news became public.

249. As a result of Nassar's conduct, Plaintiff Jane T.J. Doe 5 suffered and continues to suffer emotional distress, anxiety and difficulties with trust and relationships, among other issues.

250. Plaintiff Jane T.J. Doe 5's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

**PLAINTIFF JANE S.N. DOE 6**

251. During Nassar's employment, agency, and representation with the Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane S.N. Doe 6 by touching her genital area and her vagina without Plaintiff's consent and without the consent of her parents.

252. In 2000, Plaintiff Jane S.N. Doe 6 was a promising 11-year-old gymnast training with Twistars.

253. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

254. Plaintiff Jane S.N. Doe 6 received treatment from Nassar at Twistars Gymnastics and at Michigan State University intermittently from 2000 to 2001. During this time, Plaintiff regularly received treatment from Nassar at Twistars after practices. She also received treatment from Nassar on at least one occasion at his office at Michigan State University.

255. At Twistars, Nassar examined and treated Plaintiff Jane S.N. Doe 6 behind a curtain such that shielded others from viewing Nassar's conduct.

256. On at least two (2) occasions and possibly more, Nassar groped, touched and digitally penetrated Plaintiff Jane S.N. Doe 6's vagina. On these occasions, Nassar instructed Plaintiff to lay on a table under the guise of an examination of her back. Nassar proceeded to penetrate her vagina with his fingers during the supposed examinations.

257. Plaintiff Jane S.N. Doe 6 did not immediately realize the inappropriate nature of Nassar's conduct because she was young, impressionable and sexually inexperienced. Plaintiff felt uncomfortable about Nassar's actions but convinced herself that his actions were part of a medical procedure. Plaintiff believed that Nassar was highly respected as a doctor and that this was reason to believe he did not do anything wrong.

258. Plaintiff Jane S.N. Doe 6 finally admitted to herself the inappropriate and abusive nature of Nassar's conduct in approximately 2016 when stories of Nassar's abuse of others became public.

259. As a result of Nassar's conduct, Plaintiff Jane S.N. Doe 6 suffered and continues to suffer emotional distress, anxiety, depression, post-traumatic stress disorder and difficulties with trust and relationships, among other issues. Plaintiff has sought professional therapy to help address these ongoing issues.

260. Plaintiff Jane S.N. Doe 6's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

#### **PLAINTIFF JANE T.O. DOE 7**

261. During Nassar's employment, agency, and representation with the Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane T.O. Doe 7 by touching her genital area and digitally penetrating her vagina without Plaintiff's consent and without the consent of her parents.

262. In 1999, Plaintiff Jane T.O. Doe 7 was a 12-year old elite gymnast who trained and competed with the Karolyi Ranch Training Center, USAG and USOC.

263. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

264. Plaintiff Jane T.O. Doe 7 received "treatment" from Nassar for her hamstring and other injuries on multiple occasions throughout 1999-2004 at TOPS competitions, Karolyi Ranch Training Center, Champions American Classic competitions, Champions National competitions,

USAG Olympic Trials, and during International Assignments.

265. Nassar inappropriately touched, groped and penetrated Plaintiff Jane T.O. Doe 7's vagina during his supposed "treatment" for her injury on multiple occasions through 1999-2004, and at times as often as every week.

266. As a result of Nassar's conduct, Plaintiff Jane T.O. Doe 7 suffered and continues to suffer emotional distress, anxiety, depression, numbness, post-traumatic stress disorder and difficulties with trust and relationships, among other issues.

267. Plaintiff Jane T.O. Doe 7's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

#### **PLAINTIFF JANE S.W. DOE 8**

268. During Nassar's employment, agency, and representation with the Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane S.W. Doe 8 by touching her genital area and digitally penetrating her vagina without Plaintiff's consent and without the consent of her parents.

269. In 1998, Plaintiff Jane S.W. Doe 8 was a promising 12-year old gymnast who trained with Twistars.

270. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

271. Plaintiff Jane S.W. Doe 8 received treatment from Nassar at Twistars on multiple occasions from 1998 to 1999. Nassar treated Plaintiff for issues including a low back injury.

272 On multiple occasions while treating Plaintiff Jane S.W. Doe 8 for low back pain, Nassar touched Plaintiff's genital area and digitally penetrated her vagina.

273 Plaintiff Jane S.W. Doe 8 did not immediately realize the inappropriate nature of Nassar's conduct because she was young, impressionable and sexually inexperienced.

274 Later in life, Plaintiff Jane S.W. Doe 8 began to realize that Nassar's conduct was inappropriate and abusive. However, Plaintiff was embarrassed, afraid to share Nassar's actions with others, felt powerless, and tried to forget that Nassar had sexually abused her. After other stories of Nassar became public, Plaintiff suppressed trauma from Nassar's past conduct began affecting her immensely.

275 As a result of Nassar's conduct, Plaintiff Jane S.W. Doe 8 suffered and continues to suffer emotional distress, anxiety, depression, and difficulties with trust and relationships, among other issues.

276 Plaintiff Jane S.W. Doe 8's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

#### **PLAINTIFF JANE D.Z. DOE 9**

277 During Nassar's employment, agency, and representation with the Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane D.Z. Doe 9 by touching and groping of her genital and breast area without Plaintiff's consent and without the consent of her parents.

278 In 2003, Plaintiff Jane D.Z. Doe 9 was a promising 14-year old gymnast aspiring for a college scholarship for gymnastics.

279. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

280. Plaintiff Jane D.Z. Doe 9 sought treatment from Nassar upon the advice of her gymnastics coach because of her ankle, neck and back injuries. Plaintiff received “treatment” from Nassar at his office at Michigan State University approximately four (4) times, and maybe more, during 2003.

281. During his “treatment” of her injuries, Nassar reached underneath Plaintiff Jane D.Z. Doe 9’s shirt and shorts and touched and groped Plaintiff’s genitals and breasts on several occasions.

282. Nassar also failed to correctly diagnose and/or treat Plaintiff Jane D.Z. Doe 9’s ankle, back and neck injuries correctly. His failure to do so negatively affected Plaintiff’s gymnastic career.

283. Plaintiff Jane D.Z. Doe 9 did not immediately realize the inappropriate nature of Nassar’s conduct because she was young, impressionable and sexually inexperienced.

284. Plaintiff Jane D.Z. Doe 9 began to fully realize the inappropriate and abusive nature of Nassar’s conduct in or around 2017 when others came forward publicly with stories of his abuse. Plaintiff began to remember her experiences with Nassar and realized he sexually assaulted her under the guise of providing “treatment.”

285. As a result of Nassar’s conduct, Plaintiff Jane D.Z. Doe 9 suffered and continues to suffer emotional distress, anxiety, depression, and difficulties with trust and relationships, among other issues.

286. Plaintiff Jane D.Z. Doe 9’s injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of



self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

**PLAINTIFF JANE A.H. DOE 10**

287. During Nassar's employment, agency, and representation with the Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane A.H. Doe 10 by touching and groping her genital area and buttocks and digitally penetrating her vagina without Plaintiff's consent or the consent of Plaintiff's parents.

288. In or about 2015, Plaintiff Jane A.H. Doe 10 was a 16-year old high school gymnastics athlete competing at USA Gymnastics Level 8.

289. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

290. Plaintiff Jane A.H. Doe 10 sought treatment from Nassar for a back injury. Plaintiff received "treatment" from Nassar at his office at MSU on one occasion. Her mother was present during the "examination," but Nassar concealed his actions from her by standing in front of the examination table to block her view and by using a towel so that his hands were not visible during the assault.

291. During his "treatment" of her injuries, Nassar touched and groped Plaintiff Jane A.H. Doe 10's buttocks and upper thighs when he was purportedly performing "muscle manipulations" related to her back injury. He then covered her legs with a towel and put his hands underneath her clothing, penetrating her vagina with his fingers.

292. Nassar also failed to correctly treat Plaintiff Jane A.H. Doe 10's injury. His failure to do so negatively affected Plaintiff's athletic career.

293. Plaintiff Jane A.H. Doe 10 did not immediately realize the inappropriate nature of Nassar's conduct because she was young, impressionable and sexually inexperienced.

294. Plaintiff Jane A.H. Doe 10 began to fully realize the inappropriate and abusive nature of Nassar's conduct in or around 2017 when others came forward publicly with stories of his abuse. Plaintiff remembered her experiences with Nassar and realized he sexually assaulted her under the guise of providing "treatment."

295. As a result of Nassar's conduct, Plaintiff Jane A.H. Doe 10 suffered and continues to suffer emotional distress, anxiety, depression, and difficulties with trust and relationships, among other issues.

296. Plaintiff Jane A.H. Doe 10's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

#### **PLAINTIFF JANE I.B. DOE 11**

297. During Nassar's employment, agency, and representation with the MSU Defendants and Twistars, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane I.B. Doe 11 by touching and groping her genital area and buttocks without Plaintiff's consent or the consent of Plaintiff's parents.

298. In 2016, Plaintiff Jane I.B. Doe 11 was a 17-year old high school gymnastics athlete training at Twistars.

299. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

300. Plaintiff Jane I.B. Doe 11 sought treatment from Nassar for a severe hip flexor injury. Plaintiff received “treatment” from Nassar at Twistars on one occasion.

301. During his “treatment” of her injuries, Nassar touched and groped Plaintiff Jane I.B. Doe 11’s buttocks and upper thighs when he was purportedly performing “muscle manipulations” related to her hip flexor injury. He then instructed to Plaintiff Jane I.B. Doe 14 to turn over on the examination table, at which time he proceeded to touch and grope her inner thighs and genital area.

302. Nassar also failed to correctly diagnose and/or treat Plaintiff Jane I.B. Doe 11’s hip injury correctly. His failure to do so negatively affected Plaintiff’s athletic career, and Plaintiff I.B. Doe 11 ultimately quit gymnastics in 2017.

303. Plaintiff Jane I.B. Doe 11 did not immediately realize the inappropriate nature of Nassar’s conduct because she was young, impressionable and sexually inexperienced.

304. Plaintiff Jane I.B. Doe 11 began to fully realize the inappropriate and abusive nature of Nassar’s conduct in or around 2017 when others came forward publically with stories of his abuse. Plaintiff remembered her experiences with Nassar and realized he sexually assaulted her under the guise of providing “treatment.”

305. As a result of Nassar’s conduct, Plaintiff Jane I.B. Doe 11 suffered and continues to suffer emotional distress, anxiety, depression, and difficulties with trust and relationships, among other issues.

306. Plaintiff Jane I.B. Doe 11’s injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity. She has sought medical attention in

connection with these injuries and remains under the care of a professional therapist.

**PLAINTIFF JANE K.O. DOE 12**

307. During Nassar's employment, agency, and representation with the Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane K.O. Doe 12 by touching and groping her genital area and buttocks without Plaintiff's consent or the consent of Plaintiff's parents.

308. In or about 1999, Plaintiff Jane K.O. Doe 12 was a vibrant 13-year old gymnastics athlete competing at USA Gymnastics Level 8.

309. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

310. Plaintiff Jane K.O. Doe 12 sought treatment from Nassar for chronic hip pain. She was referred to Nassar by her coaches at the gymnastics center where she trained. Plaintiff received "treatment" from Nassar at his office at MSU on approximately twelve (12) occasions, possibly more, between 1999 and 2000. Her mother was present during her appointments, but Nassar concealed his actions from her.

311. During his "treatment" of her injuries, Nassar touched and groped Plaintiff Jane K.O. Doe 12's buttocks and upper thighs. He also reached underneath her clothing and "massaged" her buttocks and vagina during every visit, which usually lasted thirty to forty-five minutes. He often spoke to Plaintiff Jane K.O. Doe 12 in a familiar, flattering way, which gave Plaintiff Jane K.O. Doe 12 the impression that the "massages" were normal and medically appropriate.

312. Plaintiff Jane K.O. Doe 12 did not immediately realize the inappropriate nature of Nassar's conduct because she was young, impressionable and sexually inexperienced.

313. Plaintiff Jane K.O. Doe 12 began to fully realize the inappropriate and abusive nature of Nassar's conduct in or around 2017 when others came forward publicly with stories of his abuse. Plaintiff remembered her experiences with Nassar and realized he sexually assaulted her under the guise of providing "treatment."

314. As a result of Nassar's conduct, Plaintiff Jane K.O. Doe 12 suffered and continues to suffer emotional distress, anxiety, depression, and difficulties with trust and relationships, among other issues.

315. Plaintiff Jane K.O. Doe 12's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

#### **PLAINTIFF JANE S.B. DOE 13**

316. During Nassar's employment, agency, and representation with the Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane S.B. Doe 13 by touching and groping her genital area and buttocks without Plaintiff's consent or the consent of Plaintiff's parents.

317. In or about 2010, Plaintiff Jane S.B. Doe 13 was a vibrant 17-year old competitive cheerleader, track and field athlete, and former gymnast.

318. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

319. Plaintiff Jane S.B. Doe 17 sought treatment from Nassar in connection with hip injuries and several related surgeries. She was referred to Nassar by other members of the gymnastics community. Plaintiff received "treatment" from Nassar at his office at MSU on

multiple occasions during the Winter of 2010. Her mother was present during most of the appointments, but Nassar concealed his actions from her.

320. During his “treatment” of her injuries, Nassar touched and groped Plaintiff Jane S.B. Doe 13’s buttocks and upper thighs. He instructed Plaintiff Jane S.B. Doe 13 to wear loose clothing and underwear to appointments, and then reached underneath her clothing and penetrated her vagina during several visits. He often made inappropriate comments to Plaintiff Jane S.B. Doe 13 about her underwear, clothing, and pubic hair. When Plaintiff S.B. Doe 13 expressed discomfort or resisted, Nassar told her that she would need more hip surgeries if she did not comply. Plaintiff S.B. Doe 13 believed the touching was medically necessary.

321. Plaintiff Jane S.B. Doe 13 did not immediately realize the inappropriate nature of Nassar’s conduct because she was young, impressionable and sexually inexperienced.

322. Plaintiff Jane S.B. Doe 13 began to fully realize the inappropriate and abusive nature of Nassar’s conduct in or around 2017 when others came forward publicly with stories of his abuse. Plaintiff remembered her experiences with Nassar and realized he sexually assaulted her under the guise of providing “treatment.”

323. As a result of Nassar’s conduct, Plaintiff Jane S.B. Doe 13 suffered and continues to suffer emotional distress, extreme anxiety, depression, and difficulties with trust and relationships, among other issues. She remains under the care of a mental health professional.

324. Plaintiff Jane S.B. Doe 13’s injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, including but not limited to panic attacks and gastrointestinal distress, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

**PLAINTIFF JANE A.B. DOE 14**

325. During Nassar's employment, agency, and representation with the Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane A.B. Doe 14 by touching and groping her buttocks and genital area without Plaintiff's consent or the consent of Plaintiff's parents.

326. In 2009, Plaintiff Jane A.B. Doe 14 was a vibrant 17 year old gymnast.

327. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

328. Plaintiff Jane A.B. Doe 14 sought treatment from Nassar for upper back pain. Plaintiff received "treatment" from Nassar at his office at Michigan State University approximately once or twice a month from approximately 2009 through 2012. Her father was present during some, but not all, of the appointments, but Nassar concealed his actions from him.

329. During his "treatment" of her injuries, Nassar touched and groped Plaintiff Jane A.B. Doe 14's buttocks, upper thighs, and groin area, and digitally penetrated her vagina without use of gloves when he was purportedly performing "manual manipulations" related to her back pain. He instructed Plaintiff Jane A.B. Doe 14 to wear loose clothing and no underwear to appointments, and then reached underneath her clothing and penetrated her vagina during every visit, which generally lasted from thirty minutes to an hour. He told her that he needed to massage various "pressure points" near and around her vagina in order for the "treatment" to work. He often made inappropriate comments to Plaintiff Jane A.B. Doe 14 about her body and would tell her that he loved her while sexually assaulting and molesting her. Plaintiff A.B. Doe 14 trusted Nassar and believed the groping and penetration were medically necessary.

330. Nassar also failed to correctly diagnose and/or treat Plaintiff Jane A.B. Doe 14's back injuries correctly. His failure to do so negatively affected Plaintiff's athletic career.

331. Plaintiff Jane A.B. Doe 14 did not immediately realize the inappropriate nature of Nassar's conduct because she was young, impressionable and sexually inexperienced.

332. Plaintiff Jane A.B. Doe 14 began to fully realize the inappropriate and abusive nature of Nassar's conduct in or around 2017 when others came forward publicly with stories of his abuse. Plaintiff remembered her experiences with Nassar and realized he sexually assaulted her under the guise of providing "treatment."

333. As a result of Nassar's conduct, Plaintiff Jane A.B. Doe 14 suffered and continues to suffer emotional distress, anxiety, depression, and difficulties with trust and relationships, among other issues.

334. Plaintiff Jane A.B. Doe 14's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

#### **PLAINTIFF JANE B.M. DOE 15**

335. During Nassar's employment, agency, and representation with the Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane B.M. Doe 15 by touching and groping her buttocks and genital area without Plaintiff's consent or the consent of Plaintiff's parents.

336. In 2012, Plaintiff Jane B.M. Doe 15 was a vibrant 14-year old high school gymnastics athlete competing at USA Gymnastics Level 8.



337. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

338. Plaintiff Jane B.M. Doe 15 sought treatment from Nassar for injuries to her hip flexor, groin, and back. Plaintiff received “treatment” from Nassar at Twistars and at his offices at Michigan State University and his home on over twenty (20) occasions from approximately November 2012 through 2016.

339. During his “treatment” of her injuries, Nassar touched and groped Plaintiff Jane B.M. Doe 15’s buttocks and upper thighs and digitally penetrated her vagina. He would speak to Plaintiff Jane B.M. Doe 15 in a familiar manner and try to make her feel emotionally connected to him. Plaintiff Jane B.M. Doe 15 believed that she could trust Nassar.

340. Nassar also failed to correctly diagnose and/or treat Plaintiff Jane B.M. Doe 15’s back injuries correctly. His failure to do so negatively affected Plaintiff’s athletic career, and Plaintiff Jane B.M. Doe 15 was forced to quit gymnastics as a result.

341. Plaintiff Jane B.M. Doe 15 did not immediately realize the inappropriate nature of Nassar’s conduct because she was young, impressionable and sexually inexperienced.

342. Plaintiff Jane B.M. Doe 15 began to fully realize the inappropriate and abusive nature of Nassar’s conduct in or around 2017 when others came forward publicly with stories of his abuse. Plaintiff remembered her experiences with Nassar and realized he sexually assaulted her under the guise of providing “treatment.”

343. As a result of Nassar’s conduct, Plaintiff Jane B.M. Doe 15 suffered and continues to suffer emotional distress, anxiety, depression, and difficulties with trust and relationships, among other issues.

344. Plaintiff Jane B.M. Doe 15's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

**PLAINTIFF JANE E.H. DOE 16**

345. During Nassar's employment, agency, and representation with the Defendants, Nassar sexually assaulted, battered, abused, and molested Plaintiff Jane E.H. Doe 16 by touching her in a sexual way without her consent or the consent of her parents.

346. In approximately 2004/2005, Plaintiff Jane E.H. Doe 16 was a promising 12/13-year-old gymnast.

347. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

348. In approximately 2004/2005, Plaintiff Jane E.H. Doe 16 sought treatment from Nassar for knee pain.

349. Nassar examined Plaintiff Jane E.H. Doe 16 at his office at Michigan State University.

350. During the physical exam, Nassar inappropriately touched and groped Plaintiff Jane E.H. Doe 16 in a sexual way through her clothing. During an examination to diagnose her knee pain, while laying down, Nassar held Plaintiff E.H. Doe 16's thigh with his hand and then moved his hand up her thigh and he touched and rubbed her vaginal area.

351. Plaintiff E.H. Doe 16's mother was in the room during the exam but Nassar positioned Plaintiff E.H. Doe 16 in such a way that his actions were concealed from her mother.

352. Plaintiff Jane E.H. Doe 16 did not realize the inappropriate and abusive nature of Nassar's conduct until much later and recently as the news broke regarding Nassar. Plaintiff began to remember her experiences with Nassar and realized he sexually assaulted her under the guise of providing "treatment."

353. As a result of Nassar's conduct, Plaintiff Jane E.H. Doe 16 suffered and continues to suffer emotional distress, anxiety and difficulty with personal relationships among other issues.

354. Plaintiff Jane E.H. Doe 16's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

**PLAINTIFF JANE K.B. DOE 17**

355. During David Byrd's employment, agency, and representation with the Defendants, Byrd sexually assaulted, battered, abused, and molested Plaintiff Jane K.B. Doe 17 by touching and groping her genitals and breasts without Plaintiff's consent or the consent of her parents.

356. In 1998, Jane K.B. Doe 17 was a vibrant 12-year-old gymnast.

357. Although Defendants had prior notice of coach abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding coach assault.

358. Plaintiff Jane K.B. Doe 17 was coached by USAG certified Byrd in 1998.

359. From on or about the summer of 1998 to the fall of 1998, Byrd subjected Plaintiff to multiple occasions of inappropriate, nonconsensual sexual touching while at a USAG sanctioned gym and at a USAG sanctioned gymnastics camp.

360. Plaintiff K.B. Doe 17 did not realize the inappropriate and abusive nature of Byrd's conduct until much later. Plaintiff began to remember her experiences with Byrd and realized he sexually assaulted her under the guise of her coach.

361. Byrd was criminally investigated as a result of his misconduct towards Plaintiff Jane K.B. Doe 17 and others. The Department of Social Services found Plaintiff Jane K.B. Doe 17's abuse to be substantiated.

362. Ultimately in 2008, Byrd was criminally charged and convicted in 2009 of aggravated indecent liberties with a child, unlawful criminal restraint and criminal threats.

363. Plaintiff Jane K.B. Doe 17 alerted USAG of Byrd's sexual abuse and assault and USAG, in collusion with USOC, claimed it could do nothing because he was no longer a USAG member at the time of the conviction. USAG took no action to alert gymnasts or others of his abuse.

364. Again in March of 2018, after the creation of Safe Sport, Plaintiff Jane K.B. Doe 17 alerted USAG of the sexual abuse at the hands of Byrd, of his criminal conviction and of the fact that Byrd remained able to participate in gymnastics at his wife's gym and not named on USAG's permanently ineligible coach list. Rather than immediately contact law enforcement and place his name on the permanently ineligible list, as required by the Safe Sport Act, USAG advised that his profile was locked and that he would not be able to rejoin USAG. That did nothing to help the unassuming children to which he had access to at his wife's gym.

365. USAG and Safe sport never contacted Plaintiff Jane K.B. Doe 17 again to do a formal investigation. Just recently, David Byrd was added to the permanently ineligible coaching list.

366. As a result of Byrd's conduct, Plaintiff Jane K.B. Doe 17 suffered and continues to suffer emotional distress, anxiety and depression, among other issues.

367. Plaintiff Jane K.B. Doe 17's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

**PLAINTIFF JANE T.G. DOE 18**

368. During Troy Wright's employment, agency, and representation with the Defendants, Wright sexually assaulted, battered, abused, and molested Plaintiff Jane T.G. Doe 18 by touching, disrobing and groping her genitals without Plaintiff's consent or the consent of her parents.

369. In 1997, Jane T.G. Doe 18 was a vibrant 12-year-old gymnast.

370. Although Defendants had prior notice of coach abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding coach assault.

371. Plaintiff Jane T.G. Doe 18 was coached by USAG certified Wright from 1997 to 1999.

372. From on or about 1997 to 1999, Wright subjected Plaintiff to multiple occasions of inappropriate, nonconsensual sexual touching at a USAG sanctioned gym.

373. Plaintiff T.G. Doe 18 did not realize the inappropriate and abusive nature of Wright's conduct until much later. Plaintiff began to remember her experiences with Wright and realized he sexually assaulted her under the guise of her coach.

374. In 2018, Plaintiff T.G. Doe 18 reported Wright to USAG and Safe Sport, and in collusion with USOC, to date, little has been done by way of investigation and Wright remains

able to coach and is not on the permanently ineligible coach list.

375. As a result of Wright's conduct, Plaintiff Jane T.G. Doe 18 suffered and continues to suffer emotional distress, anxiety and difficulty with personal relationships among other issues.

376. Plaintiff Jane T.G. Doe 18's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

**PLAINTIFF JANE M.R. DOE 19**

377. During Theodore ("Ted") Hicks' employment, agency, and representation with the Defendants, Hicks sexually assaulted, battered, abused, and molested Plaintiff Jane M.R. Doe 19 by touching her genital area, digitally penetrating her vagina, performing cunnilingus on her, and masturbating on her without Plaintiff's consent or the consent of her parents.

378. In 1994, Jane M.R. Doe 19 was a vibrant 11-year-old-gymnast.

379. Although Defendants had prior notice of coach abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding coach assault.

380. Plaintiff Jane M.R. Doe 19 was coached by USAG certified Hicks from 1994 to 2002.

381. From on or about 1994 to 2002, Hicks subjected Plaintiff Jane M.R. Doe 19 to multiple occasions of inappropriate, nonconsensual sexual touching, including digital penetration, and cunnilingus, as well as masturbating on her, and stalking her, while at USAG sanctioned gyms and competitions.

382 Jane M.R. Doe 19 did not immediately understand Hicks' inappropriate conduct toward her until later when other victims began to come forward. Plaintiff began to understand the abuse was not her fault and realized she was a victim of sexual assault.

383 Jane M.R. Doe 19 and her parents reported Hicks' assault to USAG on multiple occasions and USAG, in collusion with USOC, took no action against Hicks.

384 Eventually, Hicks was arrested and in 2002, Jane M.R. Doe 19 testified against Hick's in criminal court. He pled guilty to sexually abusing 7 minor gymnasts and received a sentence of 1 year of jail time.

385 For many years, USAG in collusion with USOC, did not put Hicks on the permanently ineligible coach list.

386 As a result of Hicks' conduct, Plaintiff Jane M.R. Doe 19 suffered and continues to suffer emotional distress, anxiety and difficulty with personal relationships among other issues.

387 Plaintiff Jane M.R. Doe 19's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

**PLAINTIFF JANE K.R. DOE 20**

388 During Tommy Thomson's employment, agency, and representation with the Defendants, Thompson sexually assaulted, battered, abused, and molested Plaintiff Jane K.R. Doe 20 by touching and inappropriately speaking to Plaintiff Jane K.R. Doe 20 without Plaintiff's consent or the consent of her parents.

389. In 1996, Jane K.R. Doe 20 was a vibrant 17-year-old gymnast.

390. Although Defendants had prior notice of coach abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding coach assault.

391. Plaintiff Jane K.R. Doe 20 was coached by USAG certified Thomson from 1996 to 1998.

392. From on or about 1996 to 1998, Thomson subjected Plaintiff K.R. Doe 20 to multiple occasions of inappropriate, nonconsensual sexual touching and sexually exploitive language while at USAG sanctioned gyms and training camps.

393. Plaintiff Jane K.R. Doe 20 and a teammate reported Thomson's assault to USAG on multiple occasions and USAG, in collusion with USOC, took no action against Thomson. To date, Thomson is not on the permanently ineligible coach list.

394. As a result of Thomson's conduct, Plaintiff K.R. Doe 20 suffered and continues to suffer emotional distress, anxiety and difficulty with personal relationships among other issues.

395. Plaintiff Jane K.R. Doe 20 has sought professional therapy to address symptoms associated with Post-Traumatic Stress Disorder, which stemmed from her interactions with Thompson.

396. Plaintiff Jane K.R. Doe 20's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.



**PLAINTIFF JANE J.K. DOE 21**

397. As Jane J.K. Doe 21 is still a minor, she is represented by her next friend and mother Mary T.K. Doe 21.

398. During Michael Crowe-Nance's employment, agency, and representation with the Defendants, Crowe-Nance verbally assaulted and emotionally abused Plaintiff Jane J.K. Doe 21.

399. In 2016, Jane J.K. Doe 21 was a vibrant 8-year-old level 4-8 gymnast.

400. Although Defendants had prior notice of coach abuse allegations, it failed to warn Plaintiff, or her parents, of the known or foreseeable dangers regarding coach assault.

401. Plaintiff Jane J.K. Doe 21 was coached by USAG certified Crowe-Nance from 2016-2017.

402. From on or about 2016 to June 2017, Crowe-Nance subjected Plaintiff to inappropriate verbal abuse, emotional assault and bullying.

403. Mary T.K. Doe 21 reported Crowe-Nance's assault to USAG on multiple occasions and USAG. In collusion with USOC, USAG Safe Sport originally recommended Crowe-Nance take a voluntary two-year suspension. He did not agree to the suspension and remains a coach.

404. Ultimately USAG convened an ineffective hearing that resulted in a minor reprimand and allowed Crowe-Nance to continue to coach if he took anger management courses.

405. As a result of Crowe-Nance's conduct, Plaintiff J.K. Doe 21 suffered and continues to suffer emotional distress, anxiety, and difficulty with personal relationships among other issues.

406. Plaintiff J.K. Doe 21 has sought professional therapy to address symptoms associated with Crowe-Nance's conduct and has quite gymnastics.

407. Plaintiff Jane J.K. Doe 21's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, humiliation, and loss of enjoyment of life.

**PLAINTIFF MARY T.K. DOE 21**

408. Mary T.K. Doe 21 is the next friend and mother of Jane J.K. Doe 21.

409. As Jane J.K. Doe 21 is still a minor, she is represented by her next friend and mother Mary T.K. Doe 21.

**PLAINTIFF JANE C.P. DOE 22**

410. During Jose Vilchis' employment, agency, and representation with the Defendants, Jose sexually assaulted, battered, abused, and molested Plaintiff Jane C.P. Doe 22 by touching and groping her without Plaintiff's consent or the consent of her parents.

411. In 2014, Jane C.P. Doe 22 was a vibrant 16 year-old gymnast.

412. Although Defendants had prior notice of coach abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding coach assault.

413. Plaintiff Jane C.P. Doe 22 was coached by USAG certified Vilchis in 2014.

414. During the summer of 2014, Vilchis subjected Plaintiff C.P. Doe 22 to multiple occasions of inappropriate, nonconsensual sexual touching that continued from when she was 16 to 17 years old at a USAG sanctioned gym. USAG, in collusion with USOC, did nothing to stop Vilchis and only recently was he added to the permanently ineligible coach list.

415. Plaintiff C.P. Doe 22 informed Safe Sport and law enforcement of the sexual abuse and Vilchis is now being tried for six (6) counts of sexual abuse of minors.

416. As a result of Vilchis' conduct, Plaintiff Jane C.P. Doe 22 suffered and continues to suffer emotional distress, anxiety and depression, among other issues.

417. Plaintiff Jane C.P. Doe 22's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, humiliation, loss of enjoyment of life, and has sustained and continues to sustain loss of earnings and earning capacity.

**PLAINTIFF JANE A.K. DOE 23**

418. Plaintiff Jane A.K. Doe 23 is still a minor, she is represented by her next friend and mother Mary N.F. Doe 23.

419. During Kimo Awana's employment, agency, and representation with the Defendants, Awana's sexually assaulted, battered, abused, and molested Plaintiff Jane A.K. Doe 23 by inappropriately touching and groping and speaking in a sexually exploitive way to Plaintiff Jane A.K. Doe 23 without Plaintiff's consent or the consent of her parents.

420. In 2014, Jane A.K. Doe 23 was a vibrant 11-year-old level 3 gymnast.

421. Although Defendants had prior notice of coach abuse allegations, it failed to warn Plaintiff, or her parents, of the known or foreseeable dangers regarding coach assault.

422. Plaintiff Jane A.K. Doe 23 was coached by Awana from 2014 to 2017.

423. From on or about 2014 to January 2017, Awana subjected Plaintiff to inappropriate touching and sexually exploitive language on multiple occasions while at USAG sanctioned gym and outings.

424. The USAG sanctioned gym was alerted of the sexual assault, yet USAG in collusion with USOC, took little action and Awana remains able to coach and is not on the permanently ineligible coach list.

425. As a result of Awana's conduct, Plaintiff A.K. Doe 23 suffered and continues to suffer emotional distress, anxiety, suicidal ideations, PTSD and difficulty with personal

relationships among other issues.

426. Plaintiff Jane A.K. Doe 23's injuries include, among others, shock, humiliation, emotional distress and related physical manifestations thereof, embarrassment, distrust, loss of self-esteem, disgrace, fright, humiliation, and loss of enjoyment of life and has now quite gymnastics.

**PLAINTIFF MARY N.F. DOE 23**

427. Mary N.F. Doe 23 is the next friend and mother of Jane A.K. Doe 23.

428. As Jane A.K. Doe 23 is still a minor, she is represented by her next friend and mother Mary N.F. Doe 23.

**PLAINTIFF JANE R.B. DOE 24**

429. From a young age, Plaintiff Jane R.B. Doe 24 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

430. Plaintiff Jane R.B. Doe 24 (DOB 1994) treated with Nassar at his office at MSU Sports Medicine Clinic in 2012 where he provided medical care and treatment.

431. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

432. In 2012, at the time of her treatment, Plaintiff was a minor, 17 years old.

433. Plaintiff presented to Nassar with injuries to her back that she sustained through gymnastics.

434. Nassar, by characterizing his activities as "medical treatment", convinced Plaintiff that his sexual assault of her were in fact appropriate and necessary to achieve a cure for her medical problems.

435. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during a medical appointment in 2012.

436. During the 2012 appointment at Nassar’s office at MSU, Nassar digitally penetrated Plaintiff’s vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

437. The “treatment” involved prolonged and intense manipulation of Plaintiff’s vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

438. Ungloved, Nassar massaged Plaintiff’s genitals.

439. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff’s genitals.

440. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter “OB/GYN”).

441. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar’s pleasure and self-gratification.

442. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

#### **PLAINTIFF JANE D.C. DOE 25**

443. From a young age, Plaintiff Jane D.C. Doe 25 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

444. Plaintiff Jane D.C. Doe 25 (DOB 1992) treated with Nassar at his office at MSU Sports Medicine Clinic from 2009-2010 where he provided medical care and treatment.

445. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

446. In 2009, Plaintiff was a minor, 16 years old.

447. Plaintiff presented to Nassar with injuries to her back that she sustained through gymnastics.

448. Plaintiff was referred to Nassar by agents of Twistars Gymnastics, where she trained with her high school gymnastics team.

449. Nassar, by characterizing his activities as “medical treatments”, convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

450. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during medical appointments in 2009-2010.

451. During the appointments at Nassar’s office at MSU, Nassar digitally penetrated Plaintiff’s vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

452. The “treatment” lasted hours, during which Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff’s vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

453. Nassar draped Plaintiff with a towel without any warning and without asking permission.

454. Ungloved, Nassar massaged Plaintiff’s genitals.

455. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff's genitals.

456. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter "OB/GYN").

457. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar's pleasure and self-gratification.

458. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

**PLAINTIFF JANE K.C. DOE 26**

459. From a young age, Plaintiff Jane K.C. Doe 26 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

460. Plaintiff Jane K.C. Doe 26 (DOB 1987) treated with Nassar at his office at MSU Sports Medicine Clinic and Twistars Gymnasium in 2001 where Nassar provided medical care and treatment.

461. Plaintiff was a member of USA Gymnastics after approximately 1994.

462. Plaintiff was affiliated with Twistars after 2001.

463. In 2001, Plaintiff was a minor 14 years old.

464. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

465. Plaintiff sought treatment from Nassar after Twistar's owner John Geddert instructed Plaintiff that it was compulsory for her to treat with Nassar if she intended to remain affiliated with Twistars.

466. Plaintiff presented to Nassar with injuries to her back that she sustained through gymnastics.

467. Nassar, by characterizing his activities as “medical treatments”, convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

468. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during medical appointments in 2001.

469. During the appointments at Nassar’s office at MSU, Nassar digitally penetrated Plaintiff’s vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

470. During the “treatment”, Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff’s vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

471. Nassar draped Plaintiff with a towel without any warning and without asking permission.

472. Ungloved, Nassar massaged Plaintiff’s genitals.

473. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff’s genitals.

474. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter “OB/GYN”).

475. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar’s pleasure and self-gratification.



476. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

**PLAINTIFF JANE A.C. DOE 27**

477. From a young age, Plaintiff Jane A.C. Doe 27 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

478. Plaintiff Jane A.C. Doe 27 (DOB 1997) treated with Nassar at his office at MSU Sports Medicine Clinic from 2012-2015 where he provided medical care and treatment.

479. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

480. In 2012, at the time she first treated with Nassar, Plaintiff was a minor, 15 years old.

481. Plaintiff presented to Nassar with complaints of injuries to her back that she sustained through cheerleading.

482. Plaintiff was also affiliated with USAG after approximately 2002.

483. Nassar, by characterizing his activities as “medical treatments”, convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

484. Plaintiff was sexually assaulted under the guise of “medical treatments” at least 24 times, including November 2, 2012, January 28, 2013, February 25, 2013, March 26, 2013, April 9, 2013, June 24, 2013, July 23, 2013, August 27, 2013, October 17, 2013, October 17, 2013, November 15, 2013, January 7, 2014, February 11, 2014, March 18, 2014, April 16, 2014,

May 23, 2014, July 7, 2014, September 9, 2014, October 24, 2014, December 9, 2014, January 27, 2015, February 18, 2015, March 17, 2015, June 5, 2015.

485. During each of the 24 separate occasions, at appointments at his office at MSU, Nassar digitally penetrated Plaintiff's vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing "treatment."

486. The "treatment" lasted hours, during which Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff's vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing "treatment."

487. Nassar draped Plaintiff with a towel without any warning and without asking permission.

488. Nassar also massaged Plaintiff's genitals.

489. Nassar did not explain his conduct disguised as "treatment" as a medical procedure to Plaintiff.

490. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff's genitals.

491. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter "OB/GYN").

492. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar's pleasure and self-gratification.

493. After reviewing media reports regarding USAG's failure to report sexual abuse, in February 2017, Plaintiff made a complaint with MSU's Police Department.

494. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

**PLAINTIFF JANE A.H. DOE 28**

495. From a young age, Plaintiff Jane A.H. Doe 28 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

496. Plaintiff Jane A.H. Doe 28 (DOB 1992) treated with Nassar at his office at MSU Sports Medicine Clinic in 2002-2003 where he provided medical care and treatment.

497. For a number of years, Plaintiff was a member of USA Gymnastics and affiliated with the Michigan Academy of Gymnastics after 2002.

498. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

499. In 2002, at the time of her treatment, Plaintiff was a minor, 10 years old.

500. Plaintiff presented to Nassar with injuries to her back that she sustained through gymnastics.

501. Nassar, by characterizing his activities as “medical treatments”, convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

502. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during a medical appointment in 2002-2003.

503. During the appointment at Nassar’s office at MSU, Nassar digitally penetrated Plaintiff’s vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

504. During the “treatments”, Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff’s vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

505. Nassar draped Plaintiff with a towel without any warning and without asking permission.

506. Ungloved, Nassar massaged Plaintiff’s genitals.

507. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff’s genitals.

508. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter “OB/GYN”).

509. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar’s pleasure and self-gratification.

510. After reviewing media reports regarding USAG’s failure to report sexual abuse, in June 2018, Plaintiff made a complaint with MSU’s Police Department.

511. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

#### **PLAINTIFF JANE G.S. DOE 29**

512. From a young age, Plaintiff Jane G.S. Doe 29 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

513. Plaintiff Jane G.S. Doe 29 (DOB 1983) treated with Nassar at his office at MSU Sports Medicine Clinic in approximately 1997 through Fall 2002 where he provided medical care and treatment.

514. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

515. In 1997, at the time of her treatment, Plaintiff was a minor, 14 years old.

516. Plaintiff presented to Nassar with injuries to her back, ankle and elbows that she sustained through gymnastics.

517. Nassar, by characterizing his activities as “medical treatments”, convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

518. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during medical appointments in 1997-2002.

519. During the appointments at Nassar’s office at MSU, Nassar digitally penetrated Plaintiff’s vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

520. The “treatment” lasted hours, during which Nassar directed Plaintiff to alternate between turning onto her stomach and back. It involved prolonged and intense manipulation of Plaintiff’s vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

521. Nassar draped Plaintiff with a sheet without any warning and without asking permission.

522. Ungloved, Nassar massaged Plaintiff’s genitals.

523. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff's genitals.

524. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter "OB/GYN").

525. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar's pleasure and self-gratification.

526. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

**PLAINTIFF JANE L.K. DOE 30**

527. From a young age, Plaintiff Jane L.K. Doe 30 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

528. Plaintiff Jane L.K. Doe 30 (DOB 1987) treated with Nassar at his office at MSU Sports Medicine Clinic and Twistars in from 2002-2004 where he provided medical care and treatment.

529. In 2002, at the time of her treatment Plaintiff was a minor, 15 years old.

530. Plaintiff was a member of USA Gymnastics after approximately 1994.

531. Plaintiff was affiliated with Twistars Gymnasium after 2000.

532. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

533. Plaintiff presented to Nassar with injuries to her back that she sustained through gymnastics.

534. Nassar, by characterizing his activities as “medical treatments”, convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

535. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during medical appointments from 2002-2004.

536. During the appointments at Nassar’s office at MSU and Twistars Gymnasium, Nassar digitally penetrated Plaintiff’s vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

537. During the “treatment”, Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff’s vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing medical “treatment.”

538. Nassar draped Plaintiff with a towel without any warning and without asking permission.

539. Ungloved, Nassar massaged Plaintiff’s genitals.

540. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff’s genitals.

541. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter “OB/GYN”).

542. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar’s pleasure and self-gratification.

543. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

**PLAINTIFF JANE L.N. DOE 31**

544. From a young age, Plaintiff Jane L.N. Doe 31 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

545. Plaintiff Jane L.N. Doe 31 (DOB 1988) treated with Nassar at his office at MSU Sports Medicine Clinic from 1999-2003 where he provided medical care and treatment.

546. In 1999, at the time of her treatment, Plaintiff was a minor, 10 years old.

547. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

548. Plaintiff presented to Nassar with injuries to her back that she sustained through gymnastics.

549. Nassar, by characterizing his activities as “medical treatments”, convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

550. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during medical appointments from 1999-2003.

551. During the appointments at Nassar’s office at MSU Nassar digitally penetrated Plaintiff’s vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

552. During the “treatment” Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff’s vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing medical “treatment.”



553. Nassar draped Plaintiff with a towel without any warning and without asking permission.

554. Ungloved, Nassar massaged Plaintiff's genitals.

555. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff's genitals.

556. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter "OB/GYN").

557. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar's pleasure and self-gratification.

558. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

**PLAINTIFF JANE S.R. DOE 32**

559. From a young age, Plaintiff Jane S.R. Doe 32 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

560. Plaintiff Jane S.R. Doe 32 (DOB 1997) treated with Nassar at his office at MSU Sports Medicine Clinic and Twistars from 2010-2015 where he provided medical care and treatment.

561. In 2010, at the time of her treatment Plaintiff was a minor, 13 years old.

562. Plaintiff was a member of USA Gymnastics after approximately 1994.

563. Plaintiff was affiliated with Twistars Gymnasium after 2010 as she competed in meets there as a member of USA Gymnastics.

564. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

565. Plaintiff presented to Nassar with injuries to her back, hamstring and toe that she sustained through gymnastics.

566. Nassar, by characterizing his activities as “medical treatments”, convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

567. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during medical appointments in 2010-2015.

568. During the appointments at Nassar’s office at MSU and Twistars Gymnasium, Nassar digitally penetrated Plaintiff’s vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

569. During the “treatment”, Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff’s vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing medical “treatment.”

570. Nassar draped Plaintiff with a towel without any warning and without asking permission.

571. Ungloved, Nassar massaged Plaintiff’s genitals.

572. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff’s genitals.

573. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter “OB/GYN”).

574. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar's pleasure and self-gratification.

575. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

**PLAINTIFF JANE K.W. DOE 33**

576. From a young age, Plaintiff Jane K.W. Doe 33 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

577. Plaintiff Jane K.W. Doe 33 (DOB 1990) treated with Nassar at his office at MSU Sports Medicine Clinic he provided medical care and treatment.

578. In 2006-2007, at the time of her treatment Plaintiff was a minor, 16 years old.

579. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

580. Plaintiff presented to Nassar with injuries to her ankle and rotator cuff that she sustained through gymnastics.

581. Nassar, by characterizing his activities as "medical treatments," convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

582. Plaintiff was sexually assaulted under the guise of "medical treatments" by Nassar during medical appointments in 2006-2007.

583. During the appointments at Nassar's office at MSU, Nassar digitally penetrated Plaintiff's vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing "treatment."

584. During the “treatment”, Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff’s vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing medical “treatment.”

585. Nassar draped Plaintiff with a towel without any warning and without asking permission.

586. Ungloved, Nassar massaged Plaintiff’s genitals.

587. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff’s genitals.

588. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter “OB/GYN”).

589. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar’s pleasure and self-gratification.

590. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

#### **PLAINTIFF JANE N.C. DOE 34**

591. From a young age, Plaintiff Jane N.C. Doe 34 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

592. Plaintiff Jane N.C. Doe 34 (DOB 1982) treated with Nassar at his office at MSU Sports Medicine Clinic and at USAG sponsored Region 5 camps from 1997-2005 where Nassar provided medical care and treatment.

593. Plaintiff was a member of USA Gymnastics after approximately 1997.

594. In 1997, Plaintiff was a minor, 15 years old.

595. Plaintiff was a business invitee at the MSU Sports Medicine Clinic and USAG Camps where she expected to receive medical care and treatment by Nassar, free of harm.

596. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

597. Plaintiff presented to Nassar with injuries to her hamstring that she sustained through gymnastics.

598. Nassar, by characterizing his activities as “medical treatments”, convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

599. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during medical appointments from 1997-2005.

600. During the appointments at Nassar’s office at MSU and at the USAG Camps, Nassar digitally penetrated Plaintiff’s vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

601. During the “treatment”, Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff’s vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

602. Nassar draped Plaintiff with a towel without any warning and without asking permission.

603. Ungloved, Nassar massaged Plaintiff’s genitals.

604. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff's genitals.

605. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter "OB/GYN").

606. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar's pleasure and self-gratification.

607. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

**PLAINTIFF JANE A.B. DOE 35**

608. From a young age, Plaintiff Jane A.B. Doe 35 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

609. Plaintiff Jane A.B. Doe 35 (DOB 1984) treated with Nassar at his office at MSU Sports Medicine Clinic from approximately 1998-2001 where Nassar provided medical care and treatment.

610. In 1998, Plaintiff was a minor, 14 years old.

611. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

612. Plaintiff presented to Nassar with injuries to her back that she sustained through gymnastics.

613. Nassar, by characterizing his activities as "medical treatments", convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

614. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during medical appointments from 1998-2001.

615. During the appointments at Nassar’s office at MSU, Nassar digitally penetrated Plaintiff’s vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

616. During the “treatment”, Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff’s vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

617. Nassar draped Plaintiff with a towel without any warning and without asking permission.

618. Ungloved, Nassar massaged Plaintiff’s genitals.

619. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff’s genitals.

620. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter “OB/GYN”).

621. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar’s pleasure and self-gratification.

622. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

**PLAINTIFF JANE J.S. DOE 36**

623. From a young age, Plaintiff Jane J.S. Doe 36 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

624. Plaintiff Jane J.S. Doe 36 (DOB 1981) treated with Nassar at his office at MSU Sports Medicine Clinic from 1995-1998 where Nassar provided medical care and treatment.

625. In 1995, Plaintiff was a minor, 14 years old.

626. Plaintiff was a member of USA Gymnastics after approximately 1987.

627. Plaintiff was a business invitee at the MSU Sports Medicine Clinic and USAG sponsored competitions and camps where she expected to receive medical care and treatment by Nassar, free of harm.

628. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

629. Plaintiff presented to Nassar with injuries to her back that she sustained through gymnastics.

630. Nassar, by characterizing his activities as “medical treatments”, convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

631. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during medical appointments from 1995-1998.

632. During the appointments at Nassar’s office at MSU, Nassar digitally penetrated Plaintiff’s vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”



633. During the “treatment”, Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff’s vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

634. Nassar draped Plaintiff with a towel without any warning and without asking permission.

635. Ungloved, Nassar massaged Plaintiff’s genitals.

636. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff’s genitals.

637. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter “OB/GYN”).

638. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar’s pleasure and self-gratification.

639. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

**PLAINTIFF JANE A.B. DOE 37**

640. From a young age, Plaintiff Jane A.B. Doe 37 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

641. Plaintiff Jane A.B. Doe 37 (DOB 1983) treated with Nassar at his office at MSU Sports Medicine Clinic from 2001-2006 where Nassar provided medical care and treatment.

642. Plaintiff was a member of USA Gymnastics after approximately 1990.

643. Plaintiff was affiliated with the MSU gymnastics team after 2001.

644. Although Defendants had prior notice of abuse allegations, s failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

645. Plaintiff presented to Nassar with low back pain that she sustained as a result of gymnastics.

646. Nassar, by characterizing his activities as “medical treatments”, convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

647. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during medical appointments from 2001-2006.

648. During the appointments at Nassar’s office at MSU, Nassar fondled Plaintiff’s breast and digitally penetrated Plaintiff’s vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

649. During the “treatment”, Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff’s vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

650. Ungloved, Nassar massaged Plaintiff’s genitals.

651. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff’s genitals.

652. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter “OB/GYN”).

653. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar’s pleasure and self-gratification.

654. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

**PLAINTIFF JANE A.P. DOE 38**

655. From a young age, Plaintiff Jane A.P. Doe 38 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

656. Plaintiff Jane A.P. Doe 38 (DOB 1998) treated with Nassar at his office at MSU Sports Medicine Clinic, Twistars Gymnasium and Suburban Ice- East Lansing from 2011-2016 where Nassar provided medical care and treatment.

657. Plaintiff was a member of USA Gymnastics after approximately 2005.

658. Plaintiff was affiliated with Twistars after 2011.

659. Plaintiff was a business invitee at the MSU Sports Medicine Clinic and Twistars where she expected to receive medical care and treatment by Nassar, free of harm.

660. Although Defendants had prior notice of abuse allegations, failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

661. Plaintiff presented to Nassar with injuries to her hip, back and abdomen that she sustained as a result of gymnastics and figure skating.

662. Nassar, by characterizing his activities as “medical treatments”, convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

663. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during medical appointments from 2011-2016.

664. In 2011, at the time she first treated with Nassar, Plaintiff was a minor, 13 years old.

665. During the appointments at Nassar's office at MSU, Nassar digitally penetrated Plaintiff's vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing "treatment."

666. During the "treatment", Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff's vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing "treatment."

667. Nassar draped Plaintiff with a towel without any warning and without asking permission.

668. Ungloved, Nassar massaged Plaintiff's genitals.

669. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff's genitals.

670. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter "OB/GYN").

671. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar's pleasure and self-gratification.

672. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

**PLAINTIFF JANE K.C. DOE 39**

673. From a young age, Plaintiff Jane K.C. Doe 39 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

674. Plaintiff Jane K.C. Doe 39 (DOB 1995) treated with Nassar in August, 2010 at the USA National Championships in Connecticut.

675. Nassar, an agent of Defendants was present at the Championships providing athletes with medical care and treatment.

676. Plaintiff was a member of USA Gymnastics after approximately 2004.

677. Plaintiff had a legitimate expectation to receive medical care and treatment by Nassar, free of harm.

678. Although Defendants had prior notice of abuse allegations, they failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

679. Plaintiff presented to Nassar with injuries to her back that she sustained as a result of gymnastics.

680. Nassar, by characterizing his activities as “medical treatments”, convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

681. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during medical appointments in 2010.

682. In 2010 at the time she first treated with Nassar, Plaintiff was a minor, 15 years old.

683. During the appointments Nassar digitally penetrated Plaintiff's vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing "treatment."

684. During the "treatment", Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff's vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing "treatment."

685. Nassar draped Plaintiff with a towel without any warning and without asking permission.

686. Ungloved, Nassar massaged Plaintiff's genitals.

687. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff's genitals.

688. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter "OB/GYN").

689. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar's pleasure and self-gratification.

690. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

**PLAINTIFF JANE M.O. DOE 40**

691. From a young age, Plaintiff Jane M.O. Doe 40 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.

692. Plaintiff Jane M.O. Doe 40 (DOB 1999) treated with Nassar at his office at MSU Sports Medicine Clinic throughout 2013 where Nassar provided medical care and treatment.

693. Plaintiff was a member of USA Gymnastics after approximately 2009.

694. Plaintiff was referred to Nassar for treatment by USAG trainer Debra Van Horn at the Karolyi Ranch where Plaintiff was being trained/evaluated for elite status.

695. While training at the Karolyi Ranch, Plaintiff experienced an injury to her hamstring.

696. In referring Plaintiff to Nassar, Van Horn explained that Nassar was the physician to the Olympic team and was the best physician to ensure her recovery.

697. Based on Van Horn's recommendation, throughout 2013 Plaintiff travelled from her home in Illinois in order to obtain medical treatment from Nassar at the MSU Sports Medicine Clinic.

698. Plaintiff was a member of USA Gymnastics after approximately 2004.

699. Plaintiff had a legitimate expectation to receive medical care and treatment by Nassar, free of harm.

700. Although Defendants had prior notice of abuse allegations, they failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

701. Nassar, by characterizing his activities as "medical treatments", convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

702. Plaintiff was sexually assaulted under the guise of "medical treatments" by Nassar during medical appointments in 2013.

703. In 2013 at the time she first treated with Nassar, Plaintiff was a minor, 14 years old.

704. During the appointments Nassar digitally penetrated Plaintiff's vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing "treatment."

705. During the "treatment", Nassar directed Plaintiff to alternate between turning onto her stomach, and back. It involved prolonged and intense manipulation of Plaintiff's vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing "treatment."

706. Ungloved, Nassar massaged Plaintiff's genitals.

707. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff's genitals.

708. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter "OB/GYN").

709. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar's pleasure and self-gratification.

As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

#### **PLAINTIFF JANE L.C. DOE 41**

710. From a young age, Plaintiff Jane L.C. Doe 41 was taught to strictly obey authority, including doctors, without question and without complaint, regardless of the severity of pain, abuse and discomfort she experienced.



711. Plaintiff (DOB 1978) was a USAG gymnast who treated with Nassar at his office at MSU Sports Medicine Clinic and Jennison Field House in 1993-1996 where he provided medical care and treatment.

712. Plaintiff was referred to Nassar by Defendant Twistars as owner Defendant Geddert instructed Plaintiff that treatment with Nassar was compulsory.

713. As such, Plaintiff was a business invitee at the MSU Sports Medicine Clinic, Jennison and Twistars where she expected to receive medical care and treatment by Nassar, free of harm.

714. Plaintiff was also treated by Nassar during this period at Great Lakes Gymnastics Club and her home.

715. Although Defendants had prior notice of abuse allegations, it failed to warn Plaintiff of the known or foreseeable dangers regarding complaints related to Nassar.

716. In 1993, Plaintiff was a minor, 15 years old.

717. Plaintiff presented to Nassar with complaints of multiple injuries sustained through gymnastics.

718. Nassar, by characterizing his activities as “medical treatments”, convinced Plaintiff that his sexual assaults of her were in fact appropriate and necessary to achieve a cure for her medical problems.

719. Plaintiff was sexually assaulted under the guise of “medical treatments” by Nassar during medical appointments from 1993 to 1996.

720. During the 1993-1996 appointments at Nassar’s office at MSU, Nassar digitally penetrated Plaintiff’s vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

721. During the “treatments”, Nassar directed Plaintiff to alternate between turning onto her stomach and back. It involved prolonged and intense manipulation of Plaintiff’s vaginal area, including digital penetration into her vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing “treatment.”

722. Nassar draped Plaintiff with a towel without any warning and without asking permission.

723. Nassar did not explain his conduct disguised as “treatment” as a medical procedure to Plaintiff.

724. Ungloved, Nassar massaged Plaintiff’s genitals.

725. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff’s genitals.

726. Plaintiff did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter “OB/GYN”).

727. Plaintiff believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar’s pleasure and self-gratification.

728. As a result of the assault, Plaintiff has struggled with feelings of embarrassment, disgust, humiliation, and deep sadness.

#### **JANE L.W. DOE 42**

729. Plaintiff Jane L.W. Doe 42 treated with Nassar at the Karolyi Ranch, also known as the USAG National Team Training Center, located in Huntsville, Texas in 1999 and 2001.

730. In 2001, Plaintiff Jane L.W. Doe 42 was a minor, age 15, and a U.S. National Team Gymnast.

731. In March 2001, Plaintiff Jane L.W. Doe 42 presented to Nassar at the Karolyi Ranch with complaints of injuries to her back suffered through gymnastics.

732. On at least one occasion in March 2001 at the Karolyi Ranch, Nassar sexually assaulted, abused and molested Plaintiff Jane L.W. Doe 42 by engaging in non-consensual sexual touching, assault and harassment. Specifically, Nassar digitally penetrated her vagina with his fingers without prior notice and without gloves or lubricant under the guise of performing “treatment.”

733. Nassar did not explain his conduct disguised as “treatment” as a medical procedure to Plaintiff Jane L.W. Doe 42 before performing such “treatment.”

734. Nassar did not give prior notice or obtain consent for digital penetration or touching of Jane L.W. Doe 42’s vagina.

735. Plaintiff Jane L.W. Doe 42 did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter “OB/GYN”).

736. Plaintiff Jane L.W. Doe 42 believes that the conduct by Nassar was a sexual assault, abuse and molestation and for Nassar’s pleasure and self-gratification.

#### **PLAINTIFF JANE A.C. DOE 43**

737. Plaintiff Jane A.C. Doe 43 treated with Nassar at MSU Sports Medicine Clinic and at his office at Twistars from January through June 2015.

738. In 2015, Plaintiff Jane A.C. Doe 43 was a minor, 12 years old.

739. In 2015, Plaintiff Jane A.C. Doe 43 presented to Nassar with complaints of injuries to her back and neck suffered through gymnastics.

740. On multiple occasions, at appointments at his office at Twistars and MSU Sports Medicine Clinic from January through June 2015, Nassar digitally penetrated Plaintiff Jane A.C.

Doe 43's vagina with his finger and thumb without prior notice and without gloves or lubricant under the guise of performing "treatment" and sexually assaulted, abused, and molested her by engaging in nonconsensual sexual touching, assault and harassment.

741. Nassar did not explain his conduct disguised as "treatment" as a medical procedure to Plaintiff Jane A.C. Doe 43.

742. Nassar did not give prior notice or obtain consent for digital penetration or to touch Plaintiff Jane A.C. Doe 43's vagina.

743. Plaintiff Jane A.C. Doe 43 did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology (hereinafter "OB/GYN").

744. Plaintiff Jane A.C. Doe 43 believes the conduct by Nassar was sexual assault, abuse, and molestation and for Nassar's pleasure and self-gratification.

745. After reviewing a media report regarding Nassar's criminal sentencing in the Ingham County Circuit Court, and USAG's failure to report sexual abuse, Plaintiff Jane A.C. Doe 43 realized, for the first time, of the sexual abuse she experienced by Nassar. Plaintiff Jane A.C. Doe 43 also advised her parents who made a Complaint with the Dallas Police Department on or about January 30, 2018, relating to the sexual assault, abuse, molestation and nonconsensual sexual touching and harassment by Nassar.

#### **PLAINTIFF JOHN A.C. DOE 43**

746. John A.C. Doe 43 is the next friend and father of Jane A.C. Doe 43.

747. As Jane A.C. Doe 43 is still a minor, she is represented by her next friend and father, John A.C. Doe 43.

**PLAINTIFF JANE R.H. DOE 44**

748. Plaintiff Jane R.H. Doe 44 treated with Nassar at MSU Sports Medicine Clinic, Nassar's office at Twistars and Nassar's home on a monthly basis from January 2008 through August 2016.

749. From 2008 through 2013, Plaintiff Jane R.H. Doe 44 was a minor, who treated with Nassar for injuries to her back and neck that she suffered through gymnastics. During such time, Plaintiff Jane R.H. Doe 44 treated with Nassar at MSU Sports Medicine Clinic and at his office at Twistars. Due to the nature and extent of Plaintiff Jane R.H. Doe 44's injuries during this time, she was seen by Nassar on virtually a weekly basis.

750. From approximately September 2013 through August 2016, Plaintiff Jane R.H. Doe 44 was a collegiate gymnast and continued treating with Nassar for her neck and back injuries when she was on break from college. During Plaintiff Jane R.H. Doe 44's collegiate career, she treated with Nassar less frequently at MSU Sports Medicine Clinic and Nassar's home.

751. In total, Plaintiff Jane R.H. Doe 44 treated with Nassar on approximately 435 occasions from 2008 through 2016. On each occasion, Nassar sexually assaulted, abused, and molested Plaintiff Jane R.H. Doe 44 by engaging in nonconsensual sexual touching, assault and harassment. Specifically, Nassar digitally penetrated her vagina and anus with his finger and thumb, and groped her breasts without prior notice and without gloves or lubricant under the guise of performing "treatment."

752. Nassar did not explain his conduct disguised as "treatment" as a medical procedure to Plaintiff Jane R.H. Doe 44.

753. Nassar did not give prior notice or obtain consent for digital penetration or touching of Plaintiff Jane R.H. Doe 44's vagina, anus and breasts.

754. Plaintiff Jane R.H. Doe 44 did not treat or intend to treat with Nassar for issues related to obstetrics or gynecology.

755. Plaintiff Jane R.H. Doe 44 believes the conduct by Nassar was a sexual assault, abuse, and molestation and for Nassar's pleasure and self-gratification.

756. After seeing a media report regarding Nassar's criminal sentencing in the Ingham County Circuit Court, Plaintiff Jane R.H. Doe 44 realized, for the first time, that she had been repeatedly sexually abused by Nassar while under his care and treatment. Plaintiff Jane R.H. Doe 44 advised her parents of the fact she had been the victim of sexual assault, abuse, molestation and nonconsensual sexual touching and harassment by Nassar, and contacted the authorities.

#### **PLAINTIFF JANE A.G. DOE 45**

757. Plaintiff Jane A.G. Doe 45 treated with Nassar at MSU Sports Medicine Clinic on one occasion in May 2011.

758. In May 2011, Plaintiff Jane A.G. Doe 45 was a minor, 17 years old.

759. In May 2011, Plaintiff Jane A.G. Doe 45 presented to Nassar with complaints of injuries to her back suffered through gymnastics.

760. In May 2011, at MSU Sports Medicine Clinic, Nassar digitally penetrated Jane A.G. Doe 45's vagina with his fingers without prior notice and without gloves or lubricant under the guise of performing "treatment" and sexually assaulted, abused and molested her by engaging in non-consensual sexual touching, assault and harassment. Nassar did not explain his

conduct disguised as “treatment” as a medical procedure to Plaintiff Jane A.G. Doe 45 before performing such “treatment.”

761. Nassar did not give prior notice or obtain consent for digital penetration or touching of Plaintiff Jane A.G. Doe 45’s vagina.

762. Plaintiff Jane A.G. Doe 45 did not treat or intend to treat with Nassar for issues related to obstetrics and gynecology.

763. Plaintiff Jane A.G. Doe 45 believes the conduct by Nassar was a sexual assault, abuse and molestation and for Nassar’s pleasure and self-gratification.

**PLAINTIFF JANE E.A. DOE 46**

764. Plaintiff Jane E.A. Doe 46 treated with Nassar at MSU Sports Medicine Clinic on two occasions in June and October 2010.

765. In 2010, Plaintiff Jane E.A. Doe 46 was a minor, 13-14 years old.

766. In June and October 2010, Plaintiff Jane E.A. Doe 46 presented to Nassar with complaints of injuries to her back suffered through gymnastics.

767. On two occasions in June and October 2010, at MSU Sports Medicine Clinic, Nassar digitally penetrated Jane E.A. Doe 46’s vagina with his fingers without prior notice and without gloves or lubricant under the guise of performing “treatment” and sexually assaulted, abused and molested her by engaging in non-consensual sexual touching, assault and harassment. Nassar did not explain his conduct disguised as “treatment” as a medical procedure to Plaintiff Jane E.A. Doe 46 before performing such “treatment.”

768. Nassar did not give prior notice or obtain consent for digital penetration or touching of Plaintiff Jane E.A. Doe 46’s vagina.

769. Plaintiff Jane E.A. Doe 46 did not treat or intend to treat with Nassar for issues related to obstetrics and gynecology.

770. Plaintiff Jane E.A. Doe 46 believes the conduct by Nassar was a sexual assault, abuse and molestation and for Nassar's pleasure and self-gratification.

**PLAINTIFF JANE R.V. DOE 47**

771. Plaintiff Jane R.V. Doe 47 treated with Nassar at MSU Sports Medicine Clinic on several occasions the summer of June 2003 through June 2004.

772. In June 2003, Plaintiff Jane R.V. Doe 47 presented to Nassar with complaints of injuries to her back suffered through coaching gymnastics.

773. From June 2003 through June 2004, at MSU Sports Medicine Clinic, Nassar digitally penetrated Jane R.V. Doe 47's vagina with his fingers without prior notice and without gloves or lubricant under the guise of performing "treatment" and sexually assaulted, abused and molested her by engaging in non-consensual sexual touching, assault and harassment. Nassar did not explain his conduct disguised as "treatment" as a medical procedure to Plaintiff Jane R.V. Doe 47 before performing such "treatment."

774. Nassar did not give prior notice or obtain consent for digital penetration or touching of Plaintiff Jane R.V. Doe 47's vagina.

775. Plaintiff Jane R.V. Doe 47 did not treat or intend to treat with Nassar for issues related to obstetrics and gynecology.

776. Plaintiff Jane R.V. Doe 47 believes the conduct by Nassar was a sexual assault, abuse and molestation and for Nassar's pleasure and self-gratification.



**PLAINTIFF JANE A.B. DOE 48**

777. Plaintiff Jane A.B. Doe 48 treated with Nassar at MSU Sports Medicine Clinic on one occasion in March 2008.

778. In March 2008, Plaintiff Jane A.B. Doe 48 was a minor, 13 years old.

779. In March 2008, Plaintiff Jane A.B. Doe 48 presented to Nassar with complaints of injuries to her back suffered through gymnastics.

780. In March 2008, at MSU Sports Medicine Clinic, Nassar digitally penetrated or touched Jane A.B. Doe 48's vagina and anus with his fingers without prior notice and without gloves or lubricant under the guise of performing "treatment" and sexually assaulted, abused and molested her by engaging in non-consensual sexual touching, assault and harassment. Nassar did not explain his conduct disguised as "treatment" as a medical procedure to Plaintiff Jane A.B. Doe 48 before performing such "treatment."

781. Nassar did not give prior notice or obtain consent for digital penetration or touching of Plaintiff Jane A.B. Doe 48's vagina and anus.

782. Plaintiff Jane A.B. Doe 48 did not treat or intend to treat with Nassar for issues related to obstetrics and gynecology.

783. Plaintiff Jane A.B. Doe 48 believes the conduct by Nassar was a sexual assault, abuse and molestation and for Nassar's pleasure and self-gratification.

**PLAINTIFF JANE R.D. DOE 49**

784. Plaintiff Jane R.D. Doe 49 treated with Nassar on multiple occasions at MSU Sports Medicine Clinic from 2013 through July 2016.

785. Plaintiff Jane R.D. Doe 49 was a minor from 2013 through July 2016 and presented to Nassar with complaints of injuries to her back.

786. From 2013 through July 2016, Nassar sexually assaulted, abused and molested Plaintiff Jane R.D. Doe 49 by engaging in non-consensual sexual touching, assault and harassment. Specifically, Nassar digitally penetrated her vagina with his fingers without prior notice and without gloves or lubricant under the guise of performing “treatment.”

787. Nassar did not explain his conduct disguised as “treatment” as a medical procedure to Plaintiff Jane R.D. Doe 49 prior to performing such “treatment.”

788. Nassar did not give prior notice or obtain consent for digital penetration or touching of Plaintiff Jane R.D. Doe 49’s vagina.

789. Plaintiff Jane R.D. Doe 49 did not treat or intend to treat with Nassar for issues related to obstetrics and gynecology.

790. Plaintiff Jane R.D. Doe 49 believes the conduct by Nassar was a sexual assault, abuse and molestation and for Nassar’s pleasure and self-gratification.

**PLAINTIFF MARY R.D. DOE 49**

791. Mary R.D. Doe 49 is the next friend and mother of Jane R.D. Doe 49.

792. As Jane R.D. Doe 49 is still a minor, she is represented by her next friend and mother, Mary R.D. Doe 49.

**PLAINTIFF JANE D.C. DOE 50**

793. Plaintiff Jane D.C. Doe 50 treated with Nassar on multiple occasions at MSU Sports Medicine Clinic and Gedderts’ Twistars Gymnastics Club from 2011 through 2016.

794. Plaintiff Jane D.C. Doe 50 was a minor from 2011 through 2016 and presented to Nassar with complaints of injuries to her back.

795. From 2011 through 2016, Nassar sexually assaulted, abused and molested Plaintiff Jane D.C. Doe 50 by engaging in non-consensual sexual touching, assault and

harassment. Specifically, Nassar digitally penetrated her vagina with his fingers without prior notice and without gloves or lubricant under the guise of performing “treatment.”

796. Nassar did not explain his conduct disguised as “treatment” as a medical procedure to Plaintiff Jane D.C. Doe 50 prior to performing such “treatment.”

797. Nassar did not give prior notice or obtain consent for digital penetration or touching of Plaintiff Jane D.C. Doe 50’s vagina.

798. Plaintiff Jane D.C. Doe 50 did not treat or intend to treat with Nassar for issues related to obstetrics and gynecology.

799. Plaintiff Jane D.C. Doe 50 believes the conduct by Nassar was a sexual assault, abuse and molestation and for Nassar’s pleasure and self-gratification.

**PLAINTIFF MARY D.C. DOE 50**

800. Mary D.C. Doe 50 is the next friend and mother of Jane D.C. Doe 50.

801. As Jane D.C. Doe 50 is still a minor, she is represented by her next friend and mother, Mary D.C. Doe 50.

**PLAINTIFF JANE M.B. DOE 51**

802. Plaintiff Jane M.B. Doe 51 treated with Nassar on multiple occasions at MSU Sports Medicine Clinic and Twistars from 2010 through 2016.

803. Plaintiff Jane M.B. Doe 51 was a minor from 2010 through 2016 and presented to Nassar with complaints of injuries to her wrist, ankle and knee.

804. From 2010 through 2016, Nassar sexually assaulted, abused and molested Plaintiff Jane M.B. Doe 51 by engaging in non-consensual sexual touching, assault and harassment. Specifically, Nassar digitally penetrated her vagina with his fingers without prior notice and without gloves or lubricant under the guise of performing “treatment.”

805. Nassar did not explain his conduct disguised as “treatment” as a medical procedure to Plaintiff Jane M.B. Doe 51 prior to performing such “treatment.”

806. Nassar did not give prior notice or obtain consent for digital penetration or touching of Plaintiff Jane M.B. Doe 51’s vagina.

807. Plaintiff Jane M.B. Doe 51 did not treat or intend to treat with Nassar for issues related to obstetrics and gynecology.

808. Plaintiff Jane M.B. Doe 51 believes the conduct by Nassar was a sexual assault, abuse and molestation and for Nassar’s pleasure and self-gratification.

#### **PLAINTIFF JOHN M.B. DOE 51**

809. John M.D. Doe 51 is the next friend and father of Jane M.B. Doe 51.

810. As Jane M.B. Doe 51 is still a minor, she is represented by her next friend and father, John M.B. Doe 51.

#### **VI: FRAUDULENT CONCEALMENT ALLEGATIONS**

811. USOC committed Fraudulent Concealment by committing Fraud by concealing the existence of Plaintiffs’ claims and that Plaintiffs had a cause of action against Nassar and/or Defendant USOC at the time his sexual assaults occurred by Nassar (as Defendant USOC’s employee or agent) making a material representation(s) to Plaintiffs involving a past or existing fact by:

- a) making the statement, explaining, that his acts and/or conduct were a “new procedure” which involved vaginal penetration;
- b) making the statement, referring to his conduct, disguised as “treatment,” as a pelvic adjustment;
- c) making the statement, explaining, that his acts and/or conduct was “checking your

sternum;

- d) making the statement, explaining, that his acts and/or conduct was doing a “breast exam;”
- e) making the statement, explaining, that his acts and/or conduct was “treatment” and that it was the same that he performed on Olympic athletes;
- f) making the statement, explaining, that his acts and/or conduct was “attempting to manipulate [their] ribs;” and
- g) making a statement, explaining to Plaintiff and another medical professional that the position of his hand was in an appropriate place, when it was not and while he was digitally penetrating Plaintiff, all which were made contemporaneously and/or shortly after the abrupt, sudden, quick, and unexpected sexual assaults by Nassar.

812. The material representation(s) to Plaintiffs by Nassar were false, in that he was actually performing them for his own sexual gratification and pleasure evidenced by his observed arousal, flushed face, and closing of the eyes during the conduct.

813. When Nassar made the material representation(s), he knew that they were false, in that he knew that the “treatment[s]” were not proper, appropriate, legitimate, and/or considered within standard of care by any physician of any specialty and/or sports therapist.

814. Nassar made the material representation(s) with the intent that the material representation(s) should be acted upon by Plaintiffs, in that Plaintiffs:

- a) would believe that the “treatments” were in fact “treatments;”
- b) would believe that the “treatment[s]” were proper, appropriate, and legitimate;
- c) would not believe that they had been sexually assaulted;
- d) should not believe that they had been sexually assaulted so that he could

prevent discovery of his sexual assaults;

- e) would continue the “treatment[s]” so that he could continue to sexually assault them;
- f) would not question and/or report the conduct to appropriate authorities; and
- g) would not reasonably believe and not be aware of a possible cause of action that they have against Nassar and/or USAG.

815. Plaintiffs acted in reliance upon Nassar’s material representation(s), in that Plaintiffs reasonably believed that the “treatments” were in fact “treatments;” reasonably believed that the “treatments” were proper, appropriate, and legitimate; reasonably did not believe that they had been sexually assaulted; believed that they should continue the “treatment[s];” and did not believe that they should question and/or report the conduct to appropriate authorities; and did not reasonably believe that they had and were not aware of a possible cause of action that they had against Nassar and/or USAG.

816. Such fraudulent concealment reasonably prevented Plaintiffs from knowing that they had a cause of action against the Defendant USOC and the Defendant Officers and Directors.

817. Plaintiffs discovered USOC’s cover-up of its knowledge of Nassar’s criminal behavior that occurred for years prior when Ropes and Gray issued its December 10, 2018 Investigative Report, at the earliest.

818. Plaintiffs are otherwise free from fault, have not contributed to her own injuries, and has at all times made good faith efforts to mitigate her own considerable damages.

819. Further discovery will reveal additional acts and omissions by Defendants, which will prove Defendants’ pattern and practice of fraudulent concealment.

820. Defendants' failure to report, document, or investigate the complaints against Nassar, and concealment of the sexually misconduct of Nassar, constitute fraudulent concealment that equitably tolls any proffered statute of limitation that may otherwise bar the recovery sought by Plaintiffs herein.

821. Defendants are estopped from relying on any statute of limitations defense because they continued to refute and deny reports and allegations of sexual misconduct and assault perpetrated by Nassar and concealed sexually misconduct, suppressed multiple complaints of sexual misconduct by Nassar, and failed to disclose known dangerous behaviors and serious increased risks to Plaintiffs.

822. Defendants represented that Nassar was a competent medical professional and entrusted him with overseeing the medical care and wellbeing of minor athletes, including Plaintiffs, instead of upholding their duty to protect those in Nassar's care from sexual assault and abuse.

823. Defendants also owed a heightened duty of care to Plaintiffs who were minors at the time they received training and treatment services because their parents/guardians were obligated to entrust Plaintiff to the Defendants' care for training and medical treatment.

824. Therefore, each of the Defendants stood in an *in loco parentis* relationship with Plaintiffs.

825. Given this special relationship, Defendants had a duty to disclose and to warn and protect the athletes and patients who sought training and treatment at its facility and with a doctor/trainer provided by Defendants.

**V. CLAIMS AGAINST USOC DEFENDANTS**

**COUNT I: TITLE IX VIOLATIONS**  
**20 U.S.C. §1681(a), *et seq. against USOC***  
***Plaintiffs v USOC and Individual USOC Defendants***

826. Title IX states, “No person in the United States shall on the basis of sex be ... subject to discrimination under any education program or activity receiving Federal financial assistance ....”

827. Plaintiffs are “persons” covered by the Title IX statutory language.

828. USOC provides educational programs and activities and receives federal financial assistance and is therefore subject to the provisions of Title IX of the Education Act of 1972, 20 U.S.C. §§ 1681(a), 1687.

829. Plaintiffs participated in “activities” and/or “programs” that were part of the operations of USOC. 20 U.S.C. § 1687.

830. Defendant USOC is required under Title IX to investigate allegations of sexual assault, sexual abuse, and sexual harassment.

831. Title IX covers all programs of an organization providing educational programs, and extends to sexual harassment and assault by employees, students, and third parties.

832. Nassar’s actions and conduct were carried out under one of MSU’s programs, which provides medical treatment to students, athletes, and the public.

833. Nassar’s conduct and actions toward Plaintiffs, including nonconsensual digital vaginal penetration, touching Plaintiffs’ buttocks and genitals constitute sex discrimination under Title IX.



834. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

835. As early as 2015, based on the complaints alleged above, an “appropriate person” at USOC, including but not limited to Defendants, Blackmun, Ashley and Buendorf, had actual knowledge of the sexual assault, abuse, and molestation committed by Nassar upon female athletes training under the auspices of the USOC.

836. The USOC Individual Defendants were “appropriate persons” within the meaning of Title IX because, in their positions, they had the authority to address and/or report the discrimination, request investigations, and/or institute corrective measures.

837. Defendants Blackmun, Ashley and Buendorf had supervisory authority over Nassar with the ability to ban him, discipline, suspend or terminate Nassar, or to direct or cause others to ban, discipline, suspend or terminate Nassar.

838. The response of the named USOC Defendant Officers to reports of sexual abuse, was clearly unreasonable in light of the known circumstances.

839. The USOC Individual Defendants failed to carry out their duties to investigate and take corrective action under Title IX following multiple complaints of sexual assault, abuse and molestation which they became aware of in 2015.

840. The USOC and Individual USOC Defendants acted with deliberate indifference to known acts of sexual assault, abuse, and molestation on its premises by failing to investigate and address multiple allegations of sexual harassment and abuse as required by Title IX and failing to institute corrective measures to prevent Nassar from violating and sexually abusing other female patients.

841. The sexual abuse of each Plaintiff was so severe, pervasive and objectively offensive that it deprived her of an educational activity, including medical care and each Plaintiff has suffered all the injuries and damages alleged in this Complaint.

**COUNT II: SEX DISCRIMINATION**  
**PATIENT PROTECTION AND AFFORDABLE CARE ACT §1557, 42 U.S.C. §18116**  
*Plaintiffs against Defendants USOC and USOC Trustees*

842. Section 1557 of the Patient Protection and Affordable Care Act, which is codified at 42 U.S.C. § 18116, provides that: Except as otherwise provided for in this title (or an amendment made by this title), an individual shall not, on the ground prohibited under . . . [T]itle IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) . . . be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any health program or activity, any part of which is receiving Federal financial assistance, including credits, subsidies, or contracts of insurance, or under any program or activity that is administered by an Executive Agency or any entity established under this [T]itle (or amendments). The enforcement mechanisms provided for and available under . . . [T]itle IX shall apply for purposes of violations of this subsection.

843. Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. prohibits sex discrimination in programs that receive federal financial assistance.

844. Plaintiffs, as women, have a right under 42 U.S.C. § 18116 to receive health care services free from discrimination on the basis of sex.

845. Plaintiffs are “individuals” within the meaning of 42 U.S.C. § 18116.

846. Defendant USOC receives Federal financial assistance within the meaning of 42 U.S.C. § 18116 because it receives federal financial assistance such as credits, subsidies, or contracts of insurance.

847. The USOC Defendants employed the services of Nassar, doctors, and other professional and non-professional health care providers who cared for Plaintiffs from approximately 1997 to 2016, and held themselves out to the public as competent, careful, and experienced in the care and treatment of patients.

848. Plaintiffs received medical care from Nassar at USOC sanctioned facilities, and at other locations where Nassar provided services as an USOC employee.

849. Plaintiffs expected to receive medical care for their injuries without being sexually assaulted and without fear of sexual harassment or assault.

850. Nassar's conduct and actions toward Plaintiffs, that being nonconsensual and assaultive digital vaginal penetration, touching of Plaintiffs' vaginal area, touching of Plaintiffs' genitals and buttocks constitute sex discrimination under Title IX and 42 U.S.C. § 18116, and otherwise denied Plaintiff the benefits of appropriate medical care.

851. The USOC Individual Defendants, and others knew or should have known of Nassar's abuse yet failed to take corrective action.

852. USOC is vicariously and/or contractually liable for the actions of their principals, employees, agents, and representatives.

853. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

854. Blackmun, Ashley and Buendorf were in a position to take appropriate action upon learning of concerns of misconduct in 2015 and failed to take appropriate action to protect Plaintiffs.

855. The conduct of the USOC Defendants described above constitutes sex discrimination against Plaintiffs.

856. The USOC Defendants perpetrated this discrimination with malice, deliberate disregard for, or deliberate or reckless indifference to Plaintiffs' rights.

857. The USOC Defendants' failure to promptly and appropriately investigate, respond to, and remedy the sexual assaults after they received repeated notice of Nassar's wrongdoing subjected Plaintiffs and countless others to further sexual harassment and sexual assaults as well as a sexually hostile environment—effectively denying them all access to health programs or activities at USOC, and effectively denying them the benefits of appropriate medical care.

858. In the alternative, the actions or inaction of the USOC Defendants was deliberately indifferent or so reckless as to demonstrate a substantial lack of concern for whether an injury would result to Plaintiff and constitutes gross negligence that is the proximate cause of Plaintiff's damages.

**COUNT III: VIOLATION OF BODILY INTEGRITY 42 U.S.C. § 1983**  
***Plaintiffs against USOC and Individual USOC Defendants***

859. Plaintiffs, as females, are members of a protected class under the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

860. Plaintiffs also enjoy the constitutionally protected Due Process right guaranteed by the Fourteenth Amendment to be free from the invasion of bodily integrity through sexual assault, abuse, or molestation.

861. At all relevant times the MSU Individual Defendants were acting under color of federal law.

862. The USOC has been endowed by the Federal Government with the exclusive power to serve a unique national, administrative, adjudicative, and representational role and as a

private organization on whom the Government has bestowed inherently public powers and responsibilities its actions are subject to constitutional limits.

863. The acts as alleged above amount to a violation of these clearly established constitutionally protected rights, of which reasonable persons in the Individual Defendants' positions should have known.

864. At all relevant times, USOC and Defendant Officers and Directors had the ultimate responsibility and authority to train and supervise their employees, subordinates, agents, and/or representatives and the representatives of the NGBs in the appropriate manner of detecting, reporting, and preventing sexual abuse, assault, and molestation and as a matter of acts, custom, policy, and/or practice, failed to do so with deliberate indifference.

865. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

866. As a matter of custom, policy, and and/or practice, the USOC and Defendants and Defendant Officers and Directors had and have the ultimate responsibility and authority to investigate complaints against their employees, subordinates, and representatives and the representatives of the NGBs from all individuals including, but not limited to students, visitors, faculty, staff, or other employees, agents, and/or representatives, and failed to do so with deliberate indifference.

867. At all relevant times, Defendants had a duty to prevent sexual assault, abuse, and molestation on their campus and premises, that duty arising under the above-referenced constitutional rights, as well as established rights pursuant to Title IX.

868. USOC at all relevant times had an unconstitutional custom, practice, and/or policy of failing to address complaints of sexual harassment, including sexual violence in a prompt and equitable manner which caused and may have contributed to a continuation of the sexually hostile environment.

869. By failing to prevent the above-mentioned sexual assault, abuse, and molestation upon Plaintiffs, and by failing to appropriately respond to reports of Nassar's sexual assault, abuse, and molestation in a manner that was so clearly unreasonable it amounted to deliberate indifference, the USOC Individual Defendants are liable to Plaintiffs pursuant to 42 U.S.C. §1983.

870. The USOC Individual Defendants' conduct and failures to act shocks the conscience deprived Plaintiffs of rights secured by the Fourteenth Amendment to the United States Constitution in violation of 42 U.S.C. §1983.

871. The USOC Defendant Officers and Directors tolerated, authorized and/or permitted a custom, policy, practice or procedure of insufficient supervision and failed to adequately screen, counsel, or discipline Nassar, with the result that Nassar could violate the rights of persons such as Plaintiffs with impunity.

872. The constitutional right alleged in this Count was clearly established and Defendants knew or should have known that their conduct violated this constitutional right.

873. As a direct and/or proximate result of Defendants' actions and/or inactions, Plaintiffs suffered, among other things, humiliation, degradation, intimidation, confusion and emotional distress.

**COUNT IV: FAILURE TO TRAIN AND SUPERVISE 42 U.S.C. §1983**  
***Plaintiffs against USOC and Individual USOC Individual Defendants***

874. USOC and USOC Defendant Officers and Directors have the ultimate responsibility and authority to train and supervise its employees, agents, and/or representatives including Nassar and all faculty and staff regarding their duties toward students, faculty, staff, and visitors.

875. USOC and USOC Defendant Officers and Directors failed to train and supervise their employees, agents, and/or representatives including all faculty and staff, regarding the following duties:

- a) Perceive, report, and stop inappropriate sexual conduct on campus;
- b) Provide diligent supervision over student-athletes and other individuals;
- c) Report suspected incidents of sexual abuse or sexual assault;
- d) Ensure the safety of all students, faculty, staff, and visitors to Defendant MSU's campuses premises;
- e) Provide a safe environment for all students, faculty, staff, and visitors to Defendant USOC's premises free from sexual harassment; and
- f) Properly train faculty and staff to be aware of their individual responsibility for creating and maintaining a safe environment.

876. USOC and USOC Defendant Officers and Directors had supervisory authority over Nassar.

877. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

878. USOC and USOC Defendant Officers and Directors failure to adequately supervise or investigate Nassar, especially after USOC knew or should have known of complaints regarding his nonconsensual sexual touching and assaults during “treatments” was so reckless as to demonstrate a substantial lack of concern for whether an injury would result to Plaintiff.

879. USOC and USOC Defendant Officers and Directors failed to train Nassar regarding inappropriate touching, informed consent and chaperone practices, which was so reckless as to demonstrate a substantial lack of concern for whether an injury would result to Plaintiffs.

880. USOC and USOC Defendant Officers and Directors failed to adequately train coaches, trainers, medical staff, and others regarding the duties, which led to violations of Plaintiffs’ rights.

881. As a result, USOC and USOC Defendant Officers and Directors deprived Plaintiffs of rights secured by the Fourteenth Amendment to the United States Constitution in violation of 42 U.S.C. §1983.

882. As a direct and/or proximate result of USOC and USOC Defendant Officers and Directors actions and/or inactions, Plaintiffs suffered, among other things, humiliation, degradation, intimidation, confusion and emotional distress.

**COUNT V: RESPONSIBLE CORPORATE OFFICER DOCTRINE**  
***Plaintiffs against Individual USOC Individual Defendants***

883. The responsible corporate officer doctrine was developed by the United States Supreme Court to hold corporate officers in responsible positions of authority personally liable for violating strict liability statutes protecting the public welfare. *United States v. Dotterweich* (1943) 320 U.S. 277, 64 S.Ct. 134, 88 L.Ed. 48; and *United States v. Park* (1975) 421 U.S. 658,



95 S.Ct. 1903, 44 L.Ed.2d 489.

884. Under the Ted Stevens Amateur Sports Act, 36 U.S.C. §§220501, et seq. (hereinafter, “Ted Stevens Act”) USOC had a mandatory obligation to ensure that before granting NGBs, including USAG and USOC, a sanction to host National or International events, that they provide “proper medical supervision will be provided for athletes who will participate in the competition.” 36 U.S.C. §§220525(b)(4)(E).

885. The Ted Stevens Act is a federal statute protecting the public welfare.

886. The USOC Officers and Directors held positions of responsibly and authority in the USOC.

887. The USOC Officers and Directors had the ability to prevent the violation of the Ted Stevens Act.

888. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

889. The USOC Officers and Directors failed to prevent the violation of the Ted Stevens Act.

890. As a breach of their duties as responsible corporate Officers, Defendant USOC officers and Directors caused all the injuries and damages alleged in this Complaint.

**COUNT VI: VIOLATION OF THE SAFE SPORT ACT, 18 U.S.C. § 2255, et. seq.**  
***Plaintiffs against all USOC Defendants***

891. The Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (herein known as the “Safe Sport Act”) was written into law on or about February 14, 2018.

892. The Safe Sport Act amended the Ted Stevens Olympic and Amateur Sports Act to include among the purposes of the U.S. Olympic Committee to promote a safe environment in sports that is free from abuse, including emotional, physical and sexual abuse of any amateur athlete.

893. The Safe Sport Act expands those who must do mandatory reporting of child abuse to include “an adult who is authorized, by a national governing body, a member of a national governing body, or an amateur sports organization that participates in interstate or international amateur athletic competition, interact with a minor or amateur athlete at an amateur sports organization facility or at any event sanctioned by a NGB, a member of a NGB, or such amateur sports organization.”

894. The report of child abuse must be done “as soon as possible” which within the statute means within a twenty-four (24) hour period.

895. USOC Defendants became aware of reports that Plaintiffs had been the victims of sexual abuse prior to or since the Safe Sport Act came into effect.

896. USOC Defendants did not comply with the mandatory reporting required by the Safe Sport Act and did not report the abuse to local law authorities within 24 hours of passage of the bill, on February 15, 2018, or still have failed to report to law enforcement, as required by law, even to this day.

897. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

898. The Safe Sport Act was enacted to protect amateur athletes from serial predatory abusers who prey upon young and naïve athletes. As the legislative intent is to protect those

athletes in the future who may become victims to the serially abuser, it is apparent the Safe Sport Act applies to all previously reported abuses and not simply those that occur after February 14, 2018.

899. USOC Defendants have not reported Plaintiffs abuse to authorities.

900. Plaintiffs are informed and believe, and on that basis allege, that USOC Defendants have failed to follow the mandate of timely reporting all of the claims to law enforcement within 24 hours of learning facts that gave rise to the suspicion of abuse prior to or after the enactment of the Safe Sport Act on February 14, 2018.

901. As a result of the above-described conduct, Plaintiffs have suffered and continue to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of enjoyment of life; have suffered and continue to suffer and were prevented and will continue to be prevented from performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings and earning capacity, and/or have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

**COUNT VII: GROSS NEGLIGENCE**  
***Plaintiffs against All USOC Defendants***

902. Plaintiffs reallege and incorporate by reference the allegations contained in the previous paragraphs.

903. USOC and its Officers and Directors owed the Plaintiffs a duty to use due care to ensure their safety and freedom from sexual assault, abuse, and molestation while interacting with their employees, representatives, and/or agents.

904. The above-named Plaintiffs are or were amateur athletes within the meaning of 36 U.S.C. § 220501(b)(1) and participated in USOC sanctioned events (events held by USAG)

and were knowledgeable of and in some cases referred to Nassar through USOC affiliations.

905. Nassar owed to Plaintiffs a duty to use due care in his capacity as an employee, representative, and/or agent of USOC.

906. By seeking medical treatment from Nassar in his capacity as an employee, agent, and/or representative of USOC, a special, confidential, and fiduciary relationship between the Plaintiffs and Nassar was created, resulting in Nassar owing Plaintiffs a duty to use due care.

907. USOC's failure to adequately supervise Nassar was so reckless as to demonstrate a substantial lack of concern for whether an injury would result to the USOC.

908. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

909. Nassar's conduct in sexually assaulting, abusing, and molesting Plaintiffs under the guise of rendering medical "treatment" as an employee, representative, and/or agent of Defendant USOC was so reckless as to demonstrate a substantial lack of concern for whether an injury would result to the USOC Plaintiffs.

910. Defendant USOC's conduct demonstrated a willful disregard for necessary precautions to reasonably protect the USOC Plaintiffs' safety.

911. After a major sexual abuse scandal hit the headlines in 2010, the USOC and its Officers and Directors recognized that it was their duty to implement safeguards to prevent sexual violence against young amateur athletes on a nationwide enterprise level and regardless of the athlete's affiliation with the USOC or one of its NGBs.

912. The USOC wrongfully failed to implement its nationwide plan on an enterprise level which would have protected all young United States athletes from sexual violence until

2017.

913. Defendant USOC's conduct as described above, demonstrated a willful disregard for substantial risks to the USOC Plaintiffs.

914. USOC and its Officers and Directors breached duties owed to Plaintiffs and were grossly negligent when they conducted themselves by actions described above, including but not limited to their failure to notify its member athletes as early as 1998, and their failure to notify MSU about the reasons for Nassar's separation from USOC and more broadly the issues surrounding sexual abuse in gymnastics and warning signs and reporting requirements. Said acts were committed with reckless disregard for Plaintiffs' health, safety, Constitutional and/or statutory rights, and with a substantial lack of concern as to whether an injury would result.

915. As a direct and/or proximate result of Defendants actions and/or inactions, Plaintiffs suffered discomfort, bleeding, urinary tract infections, bacterial infections, and continue to suffer pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, fright, grief, humiliation, and enjoyment of life, were prevented and will continue to be prevented from performing Plaintiffs' daily activities and obtaining the full enjoyment of life, and have sustained and continue to sustain loss of earnings and earning capacity; and have required and will continue to require treatment, therapy, counseling, and hospitalization to address the mental anguish and despair caused by Defendants' actions.

**COUNT VIII: NEGLIGENCE**  
***Plaintiffs against All USOC Defendants***

916. Plaintiffs reallege and incorporate by reference the allegations contained in the previous paragraphs.

917. USOC and its Officers and Directors owed Plaintiffs a duty of ordinary care to ensure their safety and freedom from sexual assault, abuse, and molestation while being treated by their employees, representatives, and agents.

918. Plaintiffs as amateur athletes as defined by 36 U.S.C. § 220501(b)(1) had a reasonable expectation that the USOC was recommending competent and ethical physicians and trainers for medical treatment who would carry out said treatment without sexual assault, abuse, and molestation.

919. As amateur athletes as defined by 36 U.S.C. § 220501(b)(1), and by seeking medical treatment from Nassar in his capacity as an employee, agent, and/or representative of USOC, a special, confidential, and fiduciary relationship between Plaintiffs and USOC and its Officers and Directors and Plaintiffs and Nassar was created, resulting in Defendants and Nassar owing the aforementioned Plaintiffs a duty to use ordinary care.

920. Nassar owed the USOC Plaintiffs a duty of ordinary care in carrying out medical treatment.

921. USOC's failure to adequately train and supervise Nassar breached the duty of ordinary care.

922. USOC's failure to properly investigate, address, and remedy complaints regarding sexual abuse.

923. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

924. Nassar's conduct was a breach of ordinary care.

925. USOC's failure to inform the USOC Plaintiffs and the public of the allegations and concerns leading to Nassar's separation from USOC was a breach of ordinary care.

926. Nassar's conduct in sexually assaulting, abusing, and molesting Plaintiffs was a breach of the duty to use ordinary care.

927. After a major sexual abuse scandal hit the headlines in 2010, the USOC and its Officers and Directors recognized that it was their duty to implement safeguards to prevent sexual violence against young amateur athletes on a nationwide enterprise level and regardless of the athlete's affiliation with the USOC or one of its NGBs.

928. The USOC wrongfully failed to implement its nationwide plan on an enterprise level which would have protected all young United States athletes from sexual violence until 2017.

929. As a direct and/or proximate result of Defendants' conduct, actions and/or inactions, Plaintiffs suffered discomfort, bleeding, urinary tract infections, bacterial infections, and continue to suffer pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, fright, grief, humiliation, and enjoyment of life, were prevented and will continue to be prevented from performing Plaintiffs' daily activities and obtaining the full enjoyment of life, and have sustained and continue to sustain loss of earnings and earning capacity; and have required and will continue to require treatment, therapy, counseling, and hospitalization to address the mental anguish and despair caused by Defendants' actions.

**COUNT IX: VICARIOUS LIABILITY**  
***Plaintiffs against USOC Defendants***

930. Plaintiffs reallege and incorporate by reference the allegations contained in the previous paragraphs.

931. Vicarious liability is indirect responsibility imposed by operation of law where an employer is bound to keep its employees within their proper bounds and is responsible if it fails to do so.

932. Vicarious liability essentially creates agency between the principal and its agent, so that the principal is held to have done what the agent has done.

933. Nassar was an employee, agent, and/or servant of USOC or was under their complete control or active supervision at all relevant times alleged above.

934. USOC and its Officers and Directors are vicariously liable for the actions of Nassar as described above that were performed during his employment, representation, or agency with USOC and while he had unfettered access to young female athletes.

935. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

936. As a direct and/or proximate cause of Nassar's negligence carried out in the course of his employment, agency, and/or representation with Defendant, Plaintiffs suffered discomfort, bleeding, urinary tract infections, bacterial infections, and continue to suffer pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, fright, grief, humiliation, and enjoyment of life, were prevented and will continue to be prevented from performing Plaintiffs' daily activities and obtaining the full enjoyment of life, and have sustained and continue to sustain loss of earnings and earning capacity; and have required and will continue to require treatment, therapy, counseling, and hospitalization to address the mental anguish and despair caused by Defendants' actions.



**COUNT X: EXPRESS/IMPLIED AGENCY**  
***Plaintiffs against All USOC Defendants***

937. Plaintiffs reallege and incorporate by reference the allegations contained in the previous paragraphs.

938. An agent is a person who is authorized by another to act on its behalf.

939. USOC intentionally or negligently made representations that Nassar was their employee, agent, and/or representative.

940. Based on those representations, Plaintiffs reasonably believed and relied upon the belief that Nassar was acting as an employee, agent, and/or representative of USOC and its Officers and Directors.

941. Plaintiffs were injured as a result of Nassar's sexual assault, abuse, and molestation as described above carried out through his employment, agency, and/or representation with USOC.

942. Plaintiffs were injured because they relied on Defendant USOC to provide employees or agents who would exercise reasonable skill and care.

943. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

944. As a direct and/or proximate cause of Nassar's negligence carried out in the course of his employment, agency, and/or representation with Defendant USOC Plaintiffs suffered discomfort, bleeding, urinary tract infections, bacterial infections, and continue to suffer pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, fright, grief, humiliation, and enjoyment of life, were prevented and will continue to be prevented from performing Plaintiffs' daily

activities and obtaining the full enjoyment of life, and have sustained and continue to sustain loss of earnings and earning capacity; and have required and will continue to require treatment, therapy, counseling, and hospitalization to address the mental anguish and despair caused by Defendants' actions.

**COUNT XI: NEGLIGENT SUPERVISION**  
***Plaintiffs against USOC Defendants***

945. Plaintiffs reallege and incorporate by reference the allegations contained in the previous paragraphs.

946. Defendant USOC had a duty to provide reasonable supervision of its employee, agent, and/or representative, Nassar, while he was in the course of his employment, agency and/or representative of USOC and while he interacted with young female athletes including Plaintiffs.

947. It was reasonably foreseeable given the known sexual abuse in youth sports and gymnastics in particular that Nassar who had prior allegations against him had or would sexually abuse children, including Plaintiffs, unless properly supervised.

948. USOC and its Officers and Directors knew or reasonably should have known of Nassar's conduct and/or that Nassar was an unfit employee, agent, and/or representative because of his sexual interest in children and young adults.

949. USOC and its Officers and Directors breached its duty to provide reasonable supervision of Nassar, and its failure permitted Nassar, who was in a position of trust and authority, to commit the acts against Plaintiffs.

950. The sexual abuse occurred while Nassar was acting in the course of his employment, agency and/or representation of USOC.

951. USOC tolerated, authorized and/or permitted a custom, policy, practice or procedure of insufficient supervision and failed to adequately screen, counsel or discipline Nassar, with the result that Nassar could violate the rights of persons such as Plaintiffs with impunity.

952. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

953. As a direct and/or proximate result of Defendants' negligent supervision, Plaintiffs suffered discomfort, bleeding, urinary tract infections, bacterial infections, and continue to suffer pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, fright, grief, humiliation, and enjoyment of life, were prevented and will continue to be prevented from performing Plaintiffs' daily activities and obtaining the full enjoyment of life, and have sustained and continue to sustain loss of earnings and earning capacity; and have required and will continue to require treatment, therapy, counseling, and hospitalization to address the mental anguish and despair caused by Defendants' actions.

**COUNT XII: NEGLIGENT FAILURE TO WARN OR PROTECT**  
***Plaintiffs against USOC Defendants***

954. Plaintiffs reallege and incorporate by reference the allegations contained in the previous paragraphs.

955. Given the direct or indirect knowledge of sexual abuse in youth sports and in particular gymnastics, it was reasonably foreseeable that sexual abuse of minors may occur if proper procedures were not taken by USOC and its Officers and Directors.

956. USOC knew or should have known that Nassar posed a risk of harm to Plaintiffs or those in Plaintiffs' situation.

957. Defendant USOC had direct and/or constructive knowledge as to the dangerous conduct of Nassar and failed to act reasonably and responsibly in response.

958. Defendant USOC knew or should have known that Nassar previously committed sexual assault, abuse, and molestation and/or was continuing to engage in such conduct.

959. USOC and its Officers and Directors had a duty to warn or protect the USOC Plaintiffs (its members) and others in Plaintiffs' situation against the risk of injury by Nassar.

960. The duty to disclose this information arose by the special, trusting, confidential, and fiduciary relationship between Nassar in his capacity as employee, agent, and/or representative of Defendant USOC and the USOC Plaintiffs.

961. Defendant USOC breached said duty by failing to warn Plaintiffs and/or by failing to take reasonable steps to protect the USOC Plaintiffs from Nassar.

962. After a major sexual abuse scandal hit the headlines in 2010, the USOC and its Officers and Directors recognized that it was their duty to implement safeguards to prevent sexual violence against young amateur athletes on a nationwide enterprise level and regardless of the athlete's affiliation with the USOC or one of its NGBs.

963. The USOC wrongfully failed to implement its nationwide plan on an enterprise level which would have protected all young United States athletes from sexual violence until 2017.

964. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

965. Defendants failed to warn its members about prior complaints regarding Nassar.

966. Defendants breached its duties to protect Plaintiffs by failing to detect and/or uncover evidence of sexual abuse and sexual assault, investigate Nassar, adjudicate and suspend and/or ban Nassar from USOC affiliation and USOC sanctioned events.

967. Defendants failed to adequately screen, counsel and/or discipline Nassar for physical and/or mental conditions that might have rendered him unfit to discharge the duties and responsibilities of a physician in his capacity as an employee, agent, and/or representative of Defendant USOC, resulting in violations of the USOC Plaintiffs.

968. Defendants willfully refused to notify, give adequate warning, and implement appropriate safeguards to protect Plaintiffs from Nassar's conduct.

969. As a direct and/or proximate result of Defendants' negligent failure to warn or protect, Plaintiffs suffered discomfort, bleeding, urinary tract infections, bacterial infections, and continue to suffer pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, fright, grief, humiliation, and enjoyment of life, were prevented and will continue to be prevented from performing Plaintiffs' daily activities and obtaining the full enjoyment of life, and have sustained and continue to sustain loss of earnings and earning capacity; and have required and will continue to require treatment, therapy, counseling, and hospitalization to address the mental anguish and despair caused by Defendants' actions.

**COUNT XIII: NEGLIGENT FAILURE TO TRAIN OR EDUCATE**  
***Plaintiffs against USOC Defendants***

970. Plaintiffs reallege and incorporate by reference the allegations contained in the previous paragraphs.

971. Defendants breached their duty to take reasonable protective measures to protect the Plaintiffs and other individuals from the risk of childhood sexual abuse and/or sexual assault by Nassar, such as the failure to properly train or educate Plaintiffs and other individuals (including minors) about how to avoid such a risk.

972. USOC failed to implement reasonable safeguards to:

- a) Prevent acts of sexual assault, abuse, and molestation by Nassar; and
- b) Avoid placing Nassar in positions where he would have unsupervised contact and interaction with Plaintiffs and other young athletes.

973. Defendants USOC failed to train or educate their members regarding the foreseeability and danger of sexual abuse by adults in authority positions.

974. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

975. After a major sexual abuse scandal hit the headlines in 2010, the USOC and its Officers and Directors recognized that it was their duty to implement safeguards to prevent sexual violence against young amateur athletes on a nationwide enterprise level and regardless of the athlete's affiliation with the USOC or one of its NGBs.

976. The USOC wrongfully failed to implement its nationwide plan on an enterprise level which would have protected all young United States athletes from sexual violence until 2017.

977. As a direct and/or proximate result of Defendant's negligent failure to train or educate, Plaintiffs suffered discomfort, bleeding, urinary tract infections, bacterial infections, and continue to suffer pain of mind and body, shock, emotional distress, physical

manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, fright, grief, humiliation, and enjoyment of life, were prevented and will continue to be prevented from performing Plaintiffs' daily activities and obtaining the full enjoyment of life, and have sustained and continue to sustain loss of earnings and earning capacity; and have required and will continue to require treatment, therapy and counseling.

**COUNT XIV: NEGLIGENT RETENTION**  
***Plaintiffs against USOC Defendants***

978. Plaintiffs reallege and incorporate by reference the allegations contained in the previous paragraphs.

979. Defendants had a duty when credentialing, hiring, retaining, screening, checking, regulating, monitoring, and supervising employees, agents and/or representatives to exercise due care, but they failed to do so.

980. Defendant USOC and its Officers and Directors were negligent in the retention of Nassar as an employee, agent, and/or representative in their failure to adequately investigate, report, and address complaints about his conduct of which they knew or should have known.

981. Defendants were negligent in the retention of Nassar when after they discovered, or reasonably should have discovered Nassar's conduct which reflected a propensity for sexual misconduct.

982. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

983. Defendant's failure to act in accordance with the standard of care resulted in Nassar gaining access to and sexually abusing and/or sexually assaulting the USOC Plaintiffs

as well as an unknown number of other individuals.

984. The aforementioned negligence in the credentialing, hiring, retaining, screening, checking, regulating, monitoring, and supervising of Nassar created a foreseeable risk of harm to Plaintiffs as well as other minors and young adults.

985. As a direct and/or proximate result of Defendant's negligent retention, Plaintiffs suffered discomfort, bleeding, urinary tract infections, bacterial infections, and continue to suffer pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, fright, grief, humiliation, and enjoyment of life; were prevented and will continue to be prevented from performing Plaintiffs' daily activities and obtaining the full enjoyment of life; have sustained and continue to sustain loss of earnings and earning capacity; and have required and will continue to require treatment, therapy, counseling, and hospitalization to address the mental anguish and despair caused by Defendants' actions.

**COUNT XV: NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**  
***Plaintiffs against USOC Defendants***

986. Plaintiffs reallege and incorporate by reference the allegations contained in the previous paragraphs.

987. Defendant USOC and its Officers and Directors allowed Nassar to be in a position where he could sexually assault, abuse, and molest children and young adults.

988. A reasonable person would not expect Defendants to tolerate or permit their employee, agent, or representative to carry out sexual assault, abuse, or molestation.

989. Defendants held Nassar in high esteem and acclaim which in turn encouraged Plaintiffs and others to respect and trust Nassar and seek out his services and to not question his methods or motives.



990. Defendants protected Nassar in part to bolster its national and international reputation in the gymnastics community.

991. A reasonable person would not expect Defendants to be incapable of supervising Nassar and/or preventing Nassar from committing acts of sexual assault, abuse and molestation.

992. Defendant USOC's conduct as described above was reckless and outside the bounds of civilized society.

993. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

994. As a direct and/or proximate result of Defendant USOC's conduct, Plaintiffs suffered discomfort, bleeding, urinary tract infections, bacterial infections, and continue to suffer pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, fright, grief, humiliation, and enjoyment of life, were prevented and will continue to be prevented from performing Plaintiffs' daily activities and obtaining the full enjoyment of life, and have sustained and continue to sustain loss of earnings and earning capacity; and have required and will continue to require treatment, therapy, counseling, and hospitalization to address the mental anguish and despair caused by Defendants' actions.

**COUNT XVI: FRAUD AND MISREPRESENTATION**  
***Plaintiffs against USOC Defendants***

995. Plaintiffs reallege and incorporate by reference the allegations contained in the previous paragraphs.

996. Specifically, Plaintiffs incorporate the allegations contained in Fraudulent Concealment Allegations set forth in this Complaint.

997. From approximately 1996 to summer 2015, and thereafter Defendants represented to Plaintiffs and the public that Nassar was a competent, ethical, and safe physician.

998. By representing that Nassar was a team physician and athletic physician at MSU and a National Team Physician with USAG, Defendant USOC and its Officers and Directors represented to Plaintiffs and the public that Nassar was safe, trustworthy, of high moral and ethical repute, and that Plaintiffs and the public need not worry about being harmed by Nassar.

999. The representations were false when they were made as Nassar had and was continuing to sexually assault, abuse, and molest Plaintiffs and an unknown number of other individuals.

1000. Additionally, complaints were made to Defendants, either directly or through its agents yet Defendant did not contact their members, including Plaintiffs, or MSU, or any other clubs, or organizations affiliated with USAG and Nassar to inform them of the allegations and potential harm to Plaintiffs and others.

1001. Plaintiffs relied on the assertions of Defendants and several Plaintiffs continued to seek treatment of Nassar in the wake of known concerns and dangers.

1002. Plaintiffs were subjected to sexual assault, abuse, and molestation as a result of Defendant's fraudulent misrepresentations regarding Nassar.

1003. The Individual USOC Officers and Directors are personally liable to Plaintiffs because they sanctioned, directed or actively participated in the commission of the wrongful conduct which injured Plaintiffs.

1004. As a direct and/or proximate result of Defendant USOC's fraudulent misrepresentations, Plaintiffs suffered discomfort, bleeding, urinary tract infections, bacterial

infections, and continue to suffer pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, fright, grief, humiliation, and enjoyment of life; were prevented and will continue to be prevented from performing Plaintiffs' daily activities and obtaining the full enjoyment of life; have sustained and continue to sustain loss of earnings and earning capacity; and have required and will continue to require treatment, therapy, counseling, and hospitalization to address the mental anguish and despair caused by Defendants' actions.

## **VI. DAMAGES**

1005. Plaintiffs reallege and incorporate by reference the allegations contained in the preceding paragraphs.

1006. As a direct and/or proximate result of Defendants' actions and/or inactions stated above, Plaintiffs suffered discomfort and continues to suffer pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, fright, grief, humiliation, loss of enjoyment of life, were prevented and will continue to be prevented from performing daily activities and obtaining the full enjoyment of life, and have sustained and continue to sustain loss of earnings and earning capacity.

1007. The conduct, actions and/or inactions of Defendants as alleged in the above stated counts and causes of action constitute violations of Plaintiffs' Constitutional and Federal rights as well as the common and/or statutory laws of the State of Michigan, and the United States District Court has jurisdiction to hear and adjudicate said claims.

1008. In whole or in part, as a result of some or all of the above actions and/or inactions of Defendants, Plaintiffs have and continues to suffer irreparable harm as a result of the violations.

WHEREFORE, Plaintiffs request this Court and the finder of fact to enter a Judgment in Plaintiffs' favor against all named Defendants on all counts and claims as indicated above in an amount consistent with the proofs of trial, and seeks against Defendants all appropriate damages arising out of law, equity, and fact for each or all of the above counts where applicable and hereby requests that the trier of fact, be it judge or jury, award Plaintiffs all applicable damages, including but not limited to compensatory, special, exemplary and/or punitive damages, in whatever amount the Plaintiffs are entitled, and all other relief arising out of law, equity, and fact, also including but not limited to:

- a) Compensatory damages in an amount to be determined as fair and just under the circumstances, by the trier of fact including, but not limited to medical expenses, loss of earnings, mental anguish, anxiety, humiliation, and embarrassment, violation of Plaintiffs' Constitutional, Federal, and State rights, loss of social pleasure and enjoyment, and other damages to be proved;
- b) Punitive and/or exemplary damages in an amount to be determined as reasonable or just by the trier of fact;
- c) Reasonable attorney fees, interest, and costs; and
- d) Other declaratory, equitable, and/or injunctive relief, including, but not limited to implementation of institutional reform and measures of accountability to ensure the safety and protection of young athletes and other individuals, as appears to be reasonable and just.

Dated: March 12, 2019

**RESPECTFULLY SUBMITTED,  
PLAINTIFFS,  
By Their Attorneys,**

/s/ Vance R. Andrus

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